

B
MP

1/9

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of EZ Talk)
Communications, L.L.C. for a Certificate of Service)
Authority to Provide Basic Local Telecommunica-) Case No. TA-98-184
tions Service in Portions of the State of Missouri)
and to Classify Said Service as Competitive.)
)

ORDER GRANTING INTERVENTION
AND DIRECTING FILING OF PROCEDURAL SCHEDULE

EZ Talk Communications, L.L.C. (EZ Talk) filed an application on November 4, 1997, for a certificate of service authority to provide basic local telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). This application was amended on December 5. Specifically, EZ Talk wishes to provide resold services in all the exchanges currently served by Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE), United Telephone Company of Missouri d/b/a Sprint (Sprint-United), and "any other relevant incumbent facilities-based LECs" (local exchange companies). The Commission issued an Order and Notice, directing interested parties to file applications to intervene no later than December 12, 1997.

Southwestern Bell Telephone Company (SWBT) filed a timely application to intervene. SWBT states that it has a direct interest in the Commission's decision in this case because it provides basic local exchange services and will be in direct competition with this company if the certificate is granted. SWBT argues that no other party will adequately protect its interests in this matter and that its intervention would be in the public interest because of SWBT's expertise and experience in the telecommunications industry.

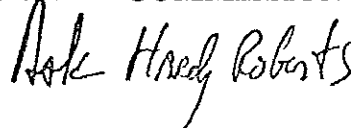
The Commission has reviewed the application and finds that it is in substantial compliance with Commission rules regarding intervention and that the applicant has an interest in this matter which is different from that of the general public. The Commission concludes that SWBT's request for intervention should be granted and that the parties should file a proposed procedural schedule. The procedural schedule must include either dates for the filing of testimony and for a hearing, or a date for the filing of a Stipulation and Agreement. If no party requests a hearing, the Commission may grant the service authority and competitive classification requested without a hearing. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

THEREFORE, IT IS ORDERED:

1. That Southwestern Bell Telephone Company is granted intervention in this case in accordance with 4 CSR 240-2.075(4).
2. That the parties shall file a proposed procedural schedule no later than February 9, 1998. The procedural schedule shall include either dates for the filing of testimony and for a hearing, or a date for the filing of a Stipulation and Agreement.
3. That this order shall be effective on January 9, 1998.

(S E A L)

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Amy E. Randles, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 9th day of January, 1998.