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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Local)
Fone Service, Inc., for approval of a)
resale agreement under the Tele-)
communications Act of 1996.)
CASE NO. TO-97-519

ORDER AND NOTICE

Local Fone Service, Inc. (Local Fone) filed an Application with the Commission on June 3, 1997, for approval of a resale agreement between Southwestern Bell Telephone Company (SWBT) and Local Fone under the provisions of the Telecommunications Act of 1996 (the Act). Applicant states that the agreement complies with Section 252(e) of the Act, is not discriminatory, and is consistent with the public interest.

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing or to file an application to participate without intervention for the limited purpose of filing comments and briefs addressing whether this agreement meets the federal standards for approval of interconnection agreements. If no one requests a hearing, the Commission may determine that no hearing is necessary. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

The standards for approval are as follows:

§252(e) APPROVAL BY STATE COMMISSION.--

- (1) APPROVAL REQUIRED.--Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State Commission. A State Commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.

(2) **GROUND FOR REJECTION.**--The State Commission may only reject--

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that--

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .

Section 252(e)(4) provides that if the Commission has not approved or rejected such an agreement within ninety days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to the same companies that receive notice of applications for interexchange service authority.

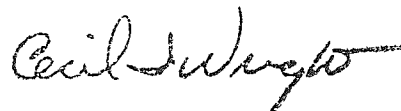
IT IS THEREFORE ORDERED:

1. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than June 25, 1997, with the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri, 65102, and send copies to:

Lisa C. Creighton
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, Missouri 64111

2. That this order shall become effective on the date hereof.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright
Executive Secretary**

(S E A L)

Elaine E. Bensavage,
Administrative 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 4th day of June, 1997.