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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Application of Everest       )  
Connections Corporation for a Certificate of       )  
Service Authority to Provide Basic Local Tele-    )  
communications Service in Portions of the State   )  
of Missouri and to Classify Said Services and     )  
the Company as Competitive.                        )

Case No. TA-2000-452

ORDER GRANTING INTERVENTION  
AND DIRECTING FILING

Everest Connections Corporation (Everest) applied to the Commission on January 20, 2000, for a certificate of service authority to provide competitive basic local telecommunications services in portions of the State of Missouri pursuant to Chapter 392 of the Missouri Revised Statutes and 4 CSR 240-2.060. Everest requested competitive classification and an order waiving certain Commission rules and statutory provisions pursuant to the federal Telecommunications Act of 1996. Everest seeks to provide its services on a facilities basis throughout exchanges currently served by the incumbent local exchange telecommunications companies of Southwestern Bell Telephone Company (SWBT), Sprint/United Telephone Company (United), and GTE Midwest, Inc. (GTE).

The Commission issued a notice and schedule of applicants on January 25, 2000, directing interested parties wishing to intervene to do so by February 24, 2000. SWBT filed a timely application to intervene on February 7, 2000. No one else sought to intervene. SWBT states that it is a Missouri corporation duly authorized to conduct business in Missouri.

SWBT states that it is a "local exchange telecommunications company" and a "public utility," as each of those phrases is defined in Section 386.020, RSMo Supp. 1999, and is authorized to provide telecommunications services in Missouri. SWBT states that Everest's basic local services will be offered in direct competition with SWBT if Everest's application is granted. SWBT also states that it has a direct interest in the Commission's decision on Everest's application and that intervention is necessary to protect SWBT's interests. SWBT further states that its interests as a provider of basic local exchange telecommunications service differ from those of the general public so that no other party can adequately protect SWBT's interest. SWBT also asserts that its intervention is in the public interest because SWBT will bring its extensive expertise and experience as a telecommunications provider.

The Commission has reviewed the application of SWBT and finds that it is in substantial compliance with Commission rules regarding intervention (i.e., 4 CSR 240-2.075<sup>1</sup>) and that SWBT has an interest in this matter that is different from that of the general public. The Commission concludes that this request for intervention should be granted.

The parties should file a proposed procedural schedule. The procedural schedule must include dates for the filing of testimony and for a hearing. In lieu of filing a procedural schedule, the parties may file

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<sup>1</sup> This rule was not cited by SWBT. 4 CSR 240-2.060(1)(D) states in part that all applications shall include "[r]eference to the . . . authority under which relief is requested."

a Stipulation and Agreement or Everest may file a notice stating a date certain that a Stipulation and Agreement will be filed if such is imminent.

**IT IS THEREFORE 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 March 22, 2000. In lieu of a proposed procedural schedule, the parties may file a Stipulation and Agreement or Everest Connections Corporation, may file a notice stating that such an agreement will be filed by a date certain.

3. That this order shall become effective on March 9, 2000.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Keith Thornburg, 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 28th day of February, 2000.