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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of)
Advanced Communications Group, Inc. and)
Southwestern Bell Telephone Company) Case No. TO-99-291
for Approval of Their Interconnection)
Agreement Under the 47 U.S.C. §§ 252(a)(1))
and (i).)

ORDER AND NOTICE

On January 4, 1999, Advanced Communications Group, Inc. (ACG) and Southwestern Bell Telephone Company (SWBT) filed a joint application with the Commission for approval of a resale agreement under the provisions of the 47 U.S.C. §§ 252(a)(1) and (i) of the Federal Telecommunications Act of 1996 (the Act). The applicant stated that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to non-party carriers and is consistent with the public interest. The applicant requested that the Interconnection Agreement become effective ten days following the filing of this notice with the Commission, or as soon thereafter as practicable.

The Act provides that an interconnection or resale agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is not consistent

with the public interest, convenience, and necessity. 47 U.S.C. § 252(e).

The Commission finds that proper persons should be allowed the opportunity to file a motion for hearing or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of interconnection or resale agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2D 494, 496 (Mo. App. 1989).

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 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 all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than January 27, 1999, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Karl Zobrist
Christine Egbarts
Blackwell Sanders Peper Martin LLP
2300 Main Street, Suite 1100
Kansas City, Missouri 64108

Gary L. Mann, Esq.
Vice President - Regulatory and Corporate Affairs
Advanced Communications Group, Inc.
390 South Woods Mill Road, Suite 150
Chesterfield, Missouri 63017

Paul G. Lane
General Attorney
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, Missouri 63101

and

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefore no later than March 15, 1999.

4. That this order shall become effective on January 19, 1999.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, 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 7th day of January, 1999.

RECEIVED

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COMMISSION ON JUDICIAL
PUBLIC SERVICE COMMISSION