

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

January 20, 2000

CASE NO: TA-2000-372

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Snappy)
Phone of Texas, Inc., d/b/a Snappy Phone, for)
a Certificate of Authority to Provide Basic)
Local and Interexchange Telecommunications)
Services within the State of Missouri.)
Case No. TA-2000-372

ORDER GRANTING INTERVENTION
AND DIRECTING FILING

Snappy Phone of Texas, Inc. (Snappy Phone), applied to the Commission on December 15, 1999, for a certificate of service authority to provide competitive basic local and interexchange telecommunications services in the State of Missouri pursuant to Chapter 392 of the Missouri Revised Statutes. Snappy Phone requested competitive classification and an order waiving certain Commission rules and statutory provisions pursuant to the federal Telecommunications Act of 1996. Snappy Phone seeks to provide its services throughout all exchanges currently served by the incumbent local exchange telecommunications company of Southwestern Bell Telephone Company (SWBT).

The Commission issued a notice and schedule of applicants on December 21, 1999, directing interested parties wishing to intervene to do so by January 20, 2000. SWBT filed a timely application to intervene on January 10, 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 Snappy Phone's basic local services will be offered in direct competition with SWBT if Snappy Phone's application is granted. SWBT also states that it has a direct interest in the Commission's decision on Snappy Phone'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 240-2.075¹) 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.

To move this case forward, 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 a Stipulation and Agreement or Snappy Phone

¹ 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."

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 February 25, 2000. In lieu of a proposed procedural schedule, the parties may file a Stipulation and Agreement or Snappy Phone of Texas, Inc., d/b/a Snappy Phone, may file a notice stating that such an agreement will be filed by a date certain.

3. That this order shall become effective on February 1, 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 20th day of January, 2000.

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 20TH day of January 2000.



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

