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) Case No. TT-99-84
) (Tariff File #9900106)
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ORDER APPROVING TARIFF

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documentation to show that the nonrecurring charge is cost-based. SWBT's tariff revision also adds language that would allow a wireless carrier to locate its point of presence at another carrier's point of presence. Staff stated that it had reviewed the tariff sheets and had no objection to their approval.

The Commission's order suspending the tariff had set the case for an early prehearing conference on September 22 but, by request of the parties, the Regulatory Law Judge agreed to continue the prehearing conference in order to permit the companies to resolve the matter.

MMG, the intervenor who filed the Motion to Suspend, filed a Withdrawal of Opposition/Intervention on September 28. MMG stated that, subsequent to the order suspending the tariff, MMG received written documentation from SWBT that clarified the purpose of the tariff filing and explained certain tariff language. MMG stated that its concerns had been alleviated and MMG wished to withdraw its intervention and its opposition to the tariff. No objections were filed to MMG's Withdrawal of Opposition/Intervention.

The Commission has reviewed its case file and the Withdrawal of Opposition/Intervention filed by MMG. The Commission finds that Staff has recommended approval of this filing, and the only party with objections has withdrawn its opposition. The ten days for filing a response to MMG's Withdrawal of Opposition/Intervention have passed. In the interests of judicial economy, the Commission is willing to grant MMG's motion to withdraw its opposition and intervention. The Commission finds that the tariff sheets proposed by SWBT are reasonable and should be approved.

IT IS THEREFORE ORDERED:

1. That the tariff sheets submitted by Southwestern Bell Telephone Company and suspended by the Commission on September 3, 1998, are approved to become effective on October 23, 1998. The tariff sheets approved are:

P.S.C. Mo.-No. 40

**3rd Revised Sheet 4, Replacing 2nd Revised Sheet 4
4th Revised Sheet 5, Replacing 3rd Revised Sheet 5
3rd Revised Sheet 20, Replacing 2nd Revised Sheet 20**

2. That the Withdrawal of Opposition/Intervention filed by the Mid-Missouri Group on September 28, 1998 is granted.

3. That all procedural dates previously scheduled in this case are canceled.

4. That this order shall become effective on October 23, 1998.

BY THE COMMISSION



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

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray and Schemenauer, CC.,
concur.

Wickliffe, Deputy Chief Regulatory Law Judge