

P_c
 P_o
 P_E

session of the Public Service Commission held at its office in Jefferson City on the 11th day of December, 1997.

In the Matter of the Designation of GTE Midwest)
Incorporated as an Eligible Telecommunications) Case No. TO-98-188
Carrier (Eltel) in the State of Missouri per FCC)
Universal Service Report and Order No. 96-45.)
)

ORDER GRANTING INTERVENTION
AND GIVING NOTICE OF APPEARANCE PRO HAC VICE

GTE Midwest Incorporated (GTE) filed on November 5, 1997, an Application for Designation as Eligible Telecommunications Carrier Pursuant to Section 254 of the Telecommunications Act of 1996. GTE, an incumbent local exchange carrier, asked the Commission to designate it a telecommunications carrier eligible to receive federal universal service support under 47 C.F.R. § 54.201(d). The Commission issued an Order and Notice on November 7, directing parties wishing to intervene to do so by November 26.

MCI Telecommunications Corporation (MCI) and MCImetro Access Transmission Services, Inc. (MCImetro) filed a joint application to intervene on November 21, stating that they have an interest different from that of the general public because the Commission's decision may affect their interests as purchasers of access services, and as providers and potential providers of telecommunications interexchange services. MCI and MCImetro also stated that their intervention would be in the public interest because of their expertise in the industry and interest in enhancing competition. However, MCI and MCImetro failed to take a position

in support of, or in opposition to, GTE's application as required by 4 CSR 240-2.075(2).

The Commission directed MCI and MCImetro to file a statement of position or a request for hearing. The companies' position statement was filed on December 8. MCI and MCImetro stated that, if GTE is not willing to make certain specified commitments that were included in the stipulation in Case No. TO-98-49, the Commission should conduct a hearing where GTE should explain its position.

The Commission has reviewed the pleadings described above and finds that the joint application for intervention should be granted. Since the intervenors' request for hearing is contingent upon GTE's failure to undertake certain commitments, the Commission finds that it is appropriate to permit GTE to respond before taking further action. Accordingly, GTE will be permitted to file a response or other pleading addressing MCI and MCImetro's concerns no later than December 17, 1997. The Commission will also give notice by this order that Stephen F. Morris has complied with 4 CSR 240-040(6) and will be appearing pro hac vice.

IT IS THEREFORE ORDERED:

1. That MCI Telecommunications Corporation and MCImetro Access Transmission Services, Inc. are granted intervention in this case in accordance with 4 CSR 240-2.075.
2. That GTE Midwest Incorporated shall file a pleading addressing the concerns raised by the intervenors no later than December 17, 1997.
3. That Stephen F. Morris has complied with 4 CSR 240-040(6) and will be appearing pro hac vice.

4. That this order shall become effective on December 11, 1997.

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized script.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Wickliffe, Deputy Chief Regulatory Law Judge