(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF MCImetro ACCESS TRANSMISSION SERVICE, INC.  FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND FOR AUTHORITY TO PROVIDE LOCAL EXCHANGE SERVICE AS A COMPETITIVE LOCAL CARRIER. | )  )  )  )  )  )  )  ) | CASE NO. MCM-T-97-1  ORDER NO.  27353 |

On January 26, 1998, MCImetro Access Transmission Services, Inc. (MCImetro) and the Idaho Public Utilities Commission Staff filed a stipulation proposing that Order No. 27307 issued by the Commission on January 8, 1998 be amended as follows

1.That the following sentence appearing on page 3 of Order No. 27307 may be stricken:

MCImetro shall submit its final tariff (in full compliance with Order No. 26665) no later than February 13, 1998, or its Certificate of Public Convenience and Necessity shall be revoked.

2.MCImetro and the Commission Staff propose that the following sentences may be substituted for the foregoing excerpt from Order No. 27307:

MCImetro shall employ reasonable diligence to submit for Staff approval its illustrative tariff, but in no event shall MCImetro offer service within the state of Idaho until such tariff has been approved.  If in Staff’s opinion MCImetro fails in the future to exercise reasonable diligence in submitting said tariff, Staff shall notify the Commission in which event the Commission may take such action as is appropriate in the circumstance.

The purpose for the proposed amendment is to allow MCImetro additional time in which to prepare its proposed tariff and ensure its compliance with the Commission’s Procedural Order No. 26665.  We find that it is reasonable to allow MCImetro such additional time and note that, in no event, shall the Company commence service in the state of Idaho until a final and satisfactory tariff has been submitted to the Commission.

Rule No. 326(02) of the Commission’s Rules of Procedure (IDAPA 31.01.01) provides that the Commission may propose to amend its own orders after giving all interested persons notice of its proposed amendment and providing opportunity for them to be heard.  In order to comply with the requirements of Rule 326(02), therefore, this Order shall not go into effect until Thursday, February 12, 1998.  All interested persons may submit written comments regarding the proposed amendment to the Commission on or before that date.  In the event the Commission receives any opposition to its proposed amendment the Commission, after consideration of such opposition, shall determine whether to waive or defer the effective date of February 12, 1998.

O R D E R

IT IS HEREBY ORDERED that Order No. 27307 issued in this case by the Commission on January 8, 1998 shall be amended, as set forth in the body of this Order, effective February 12, 1998.

THIS IS A FINAL ORDER.  Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No.  MCI-T-97-1 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in this Case No.  MCI-T-97-1.  Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration.  See Idaho Code § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of February 1998.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

bls/O:MCM-T-97-1.bp2

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

February 5, 1998