

**BEFORE THE
MISSISSIPPI PUBLIC SERVICE COMMISSION**

In Re:

**PETITION OF THE MISSISSIPPI
INDEPENDENT GROUP FOR COMMISSION
ACTION PURSUANT TO SECTION 253(b)
OF THE TELECOMMUNICATIONS ACT OF 1996**

Docket No. 96-UA-298

CLARIFICATION ORDER

COMES NOW, the Mississippi Public Service Commission (Commission) *sua sponte* and provides clarification of the Final Order issued in this proceeding on December 31, 1996. In the Final Order, the Commission granted a group of petitioning local exchange carriers (referred to herein-below as the "Independents"), pursuant to Section 251(f)(2) of the Telecommunications Act of 1996 (TA96), a suspension from the interconnection requirements of Sections 251(b) and 251(c) of TA96.

In the Final Order, the Commission specifically determined that:

The Independents are granted a suspension, pursuant to Section 251(f)(2) from the requirements of Section 251(b) and 251(c), until such time as the Independent receives a bona fide request, but under no circumstances earlier than twelve (12) months following the FCC's promulgation of the aforementioned 'trilogy'.

The Commission determined that the need for the suspension requested by the Independents resulted largely from the uncertainty that existed in the implementation of TA 96. We concluded that "This uncertainty will not be alleviated until the Federal Communications Commission ("FCC") completes its consideration of the 'trilogy'..."

The "trilogy" referenced by the Commission is the collective term

which identifies several proceedings pending before the Federal Communications Commission ("FCC") which address various aspects of the implementation of the Telecommunications Act of 1996 ("TA96"). These proceedings include: 1) the determination of interconnection rules in CC Docket No. 96-98; 2) revisions to the federal Universal Service Fund ("USF") rules; and 3) the restructuring of interstate access charges.

Although the FCC has issued initial orders in each of the trilogy proceedings, the FCC decisions demonstrate that the promulgation of the trilogy is far from complete for the Independents and other rural telephone companies throughout the nation. The FCC's orders in both the USF and access structure proceedings specifically address the continuing uncertainty that exists for companies like the Independents. The determination and promulgation of these proceedings with regard to the rural Independents has been deferred to the future.

Other than the issuance of the initial orders in the USF and access proceedings, there has been no change of fact or circumstance subsequent to our issuance of the Final Order in the Suspension proceeding. The very basis upon which we issued the Final Order essentially remains unchanged. We are concerned that a party or parties may misinterpret our Final Order and conclude that the issuance of initial decisions by the FCC in the trilogy proceedings constitutes the promulgation of the trilogy. As discussed above, the public record clearly demonstrates that the trilogy has not been promulgated. This clarification of our Final Order in this proceeding is, accordingly, warranted, in order to avoid any otherwise unnecessary confusion and potential for additional burden

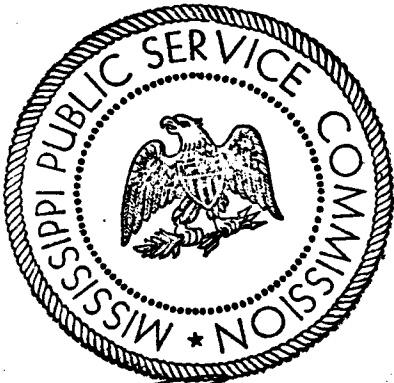
on our administrative processes.

IT IS THEREFORE ORDERED, as follows that the Final Order in this proceeding is clarified to provide, in accordance with the Commission's findings, that the trilogy has not been promulgated with respect to the Independents and that the suspension issued by the Commission in the Final Order remains in effect until such time as the Independents receive a bona fide request, but under no circumstances earlier than twelve (12) months following that date subsequently determined by the Commission to be the date upon which the promulgation of the aforementioned "trilogy" has been effected. The Final Order remains intact and in effect in all other respects. This Order shall take effect immediately upon the date set out below.

Chairman Bo Robinson voted Aye; Vice-Chairman George Byars voted Aye; Commissioner Nielsen Cochran voted Aye.

SO ORDERED on this the 7th day of June, 1998.

MISSISSIPPI PUBLIC SERVICE COMMISSION



Bo Robinson
BO ROBINSON, CHAIRMAN

George Byars
GEORGE BYARS, VICE CHAIRMAN

Nielsen Cochran
NIELSEN COCHRAN, COMMISSIONER

ATTEST: A True Copy

Brian U. Ray
BRIAN U. RAY
Executive Secretary