

GOLLER, GARDNER AND FEATHER

PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

David R. Goller
Paul H. Gardner
Jean S. Feather
Pamela Q. Henrickson

131 East High Street
Jefferson City, Missouri 65101
Telephone 573/635-6181
Facsimile 573/635-1155
E-mail: info@gollerlaw.com

Robert W. Hedrick
1918-1988

September 2, 2004

FILED

SEP 02 2004

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
Jefferson City, MO 65101

Missouri Public
Service Commission


Re: Northeast Missouri Rural Telephone Company and Modern
Telecommunications Company v. Southwestern Bell Telephone Company et al
Case No.. TC-2002-57

Dear Mr. Roberts:

Enclosed for filing please find an original and eight copies of MOTION TO BE EXCUSED
FROM HEARING in the above referenced case.

Copies have been provided to all parties of record.

Sincerely,


Paul H Gardner *PHG*

Enclosure(s)

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

FILED

SEP 02 2004

**Missouri Public
Service Commission**

Northeast Missouri Rural Telephone Company
and Modern Telecommunications Company,

Petitioners,

vs.

Southwestern Bell Telephone Company,
Southwestern Bell Wireless (Cingular),
Voicestream Wireless (Western Wireless),
Aerial Communications, Inc.,
CMT Partners (Verizon Wireless),
Sprint Spectrum LP, United States Cellular Corp.,
and Ameritech Mobile Communications, Inc.,

Respondents.

Case No. TC-2002-57, et. al.
consolidated

U.S. CELLULAR'S MOTION TO BE EXCUSED FROM HEARING

U.S. Cellular Corporation, ("USCC"), files this Motion to be Excused from the Hearing set for September 8 and 9, 2004, and in support of its motion states:

1. On July 13, 2004, the Commission entered an Order Resetting Hearing for September 8 and 9, 2004. The purpose of the evidentiary hearing is to determine the proportion of the traffic at issue that is interMTA wireless-originated traffic and the proportion that is intraMTA wireless-originated traffic.

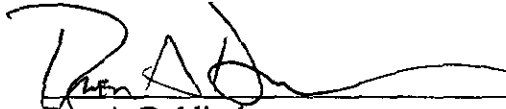
2. On August 30, 2004, a unanimous stipulation was filed by USCC, Northeast Missouri Rural Telephone Company ("Northeast"), Southwestern Bell Telephone, L.P., d/b/a SBC Missouri ("SBC Missouri"), the Staff of the Missouri Public Service Commission, and the Office of the Public

Counsel concerning the traffic at issue that was originated by USCC, transited by SBC Missouri, and terminated to Northeast.

3. Also on August 30, 2004, a unanimous stipulation was filed by USCC, Chariton Valley Telephone Corporation ("Chariton Valley"), SBC Missouri, the Staff of the Missouri Public Service Commission, and the Office of the Public Counsel, with respect to traffic at issue originated by USCC, transited by SBC Missouri, and terminated to Petitioner Chariton Valley.

4. The unanimous stipulations filed on August 30, 2004, settle of all inter/intraMTA factor issues as they relate to USCC. Therefore, none of the issues to be resolved at the evidentiary hearing will impact USCC.

WHEREFORE, for the reasons given above, USCC respectfully requests that it be excused from the evidentiary hearing scheduled for September 8 and 9, 2004.



Bret A. Dublinske
Krista K. Tanner
DICKINSON, MACKAMAN, TYLER & HAGEN
699 Walnut Street, 1600 Hub Tower
Des Moines, Iowa 50309-3986
Telephone: 515/244-2600
Facsimile: 515/246-4550

And

Paul H. Gardner
GOLLER, GARDNER & FEATHER
131 East High Street
Jefferson City, MO 65101
Telephone: 573/635-6181
Facsimile: 573/635-1155

ATTORNEYS FOR U. S. CELLULAR

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing document was mailed to the persons listed below at the addresses indicated, stamped with the appropriate postage for ordinary mail and deposited this 2nd day of September, 2004, in a United States mail receptacle, in Des Moines, Iowa:

Richard S. Brownlee, III Hendren & Andrae 221 Bolivar Street, Suite 300 Jefferson City, MO 65102	Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102
Craig S. Johnson Lisa Chase Joseph M. Page Andereck, Evans, Milne, Pearce & Johnson 700 East Capital Avenue, P.O. Box 1438 Jefferson City, MO 65101	Kenneth Schiffman Sprint - Legal and External Affairs 6450 Sprint Parkway, Bldg. 14 Mail Stop KSOPHN212-2A253 Overland Park, KS 66211
Leo Bub Paul G. Lane General Counsel - Missouri Southwestern Bell Telephone Company One Bell Center, Room 3518 St. Louis, MO 63101	Mark P. Johnson Sonnenschein Nath & Rosenthal 4520 Main Street, Suite 1100 Kansas City, MO 64111

Dawn Reiser