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EUGENE E. ANDERECK (1923-2004) GREGORY C. STOCKARD (1904-1993)

PHIL HAUCK (1924-1991)

Secretary **Public Service Commission** P.O. Box 360 Jefferson City, Missouri 65102

Re:

Case No. TC-2002-57

AUG 3 0 2004

Missouri Public Service Commission

Dear Secretary:

Enclosed for filing please find an original and eight copies of Motion For and Notice Of Dismissal With Prejudice against Respondent Western Wireless in the above referenced case.

If you have any questions, please contact me at the number listed above.

ohnson

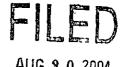
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Encl.

All Attorneys of Record CC:

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI



	AUG 8 0 2004
i Rural Telephone Company)	Missouri Public Service Commissio

Northeast Missouri Rural Telephone Company et al.,) Missouri Public Service Commission
Petitioners,	
v.) Case No. TC-2002-57
Southwestern Bell Telephone Company, et al.,))
Respondent.)

MOTION FOR AND NOTICE OF DISMISSAL WITH PREJUDICE

COME NOW Petitioners, Alma Telephone Company, Mokan Dial, Incorporated, Chariton Valley Telephone Corporation, and Northeast Missouri Rural Telephone Company, being all Petitioners with pending complaints against Respondents Western Wireless in this consolidated proceeding, and hereby move the Commission to, or in the alternative place the Commission and parties on Notice of, this dismissal of all Petitioners' claims pending against Western Wireless for Western Wireless originated traffic terminating to Petitioners through December 31, 2001, with prejudice to the refiling thereof.

Petitioners state that previous confusion or uncertainty with respect to responsibility between Western Wireless and the T-Mobile USA entities with respect to historical traffic has been resolved, and that the remaining traffic which Western Wireless is or may be responsible has been fully compromised, and settled. Western Wireless may be dismissed as a Respondent in this proceeding.

WHEREFORE, Petitioners'Alma, Mokan, Chariton Valley and Northeast hereby request that the Commission dismiss Western Wireless as a Respondent to this proceeding, and that all complaints against Western Wireless be dismissed with prejudice.

Respectfully submitted,

ANDERECK, EVANS, MILNE, PEACE & JOHNSON L.L.C.

By:

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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing mailed, U.S. Mail, postage pre-paid, this 30th day of August, 2004, to all attorneys of record in this proceeding.

Attorney for MIT