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April 28, 1999

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, Missouri 65102

FILED

APR 28 1999

Re: Case No. TT-99-433

Missouri Public  
Service Commission

Dear Mr. Roberts:

Enclosed for filing on behalf of the Small Telephone Company Group, please find an original and fourteen (14) copies of an Application to Intervene in the above-captioned matter.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel. A copy is being provided to parties of record. I thank you in advance for your cooperation in this matter.

Sincerely,

*Brian T. McCartney*

Brian T. McCartney

BTM/da  
Enclosure  
cc: Parties of Record

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

**FILED**

APR 28 1999

Missouri Public  
Service Commission

In the Matter of Peace Valley Telephone )  
Company's Filing to Revise its Access )  
Services Tariff, P.S.C. Mo. No. 2. )

CASE NO. TT-99-433

**APPLICATION TO INTERVENE**

Comes now the Small Telephone Company Group, members of which are set out in Attachment A, (hereinafter "STCG" or "Applicants") and in support of its Application to Intervene in the above-captioned matter states that:

1. Applicants are "telecommunications companies" and "public utilities" as those terms are defined by § 386.020 RSMo Supp. 1998 and are therefore subject to the jurisdiction, regulation and control of the Missouri Public Service Commission ("Commission") as provided by law. Applicants are incumbent local exchange companies ("ILECs") providing basic local, local, and exchange access services in those areas of Missouri certificated to them by the Commission.

2. Correspondence, communications, orders and decisions in this matter should be addressed to:

W.R. England, III/Brian T. McCartney  
Brydon, Swearingen & England P.C.  
312 E. Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65102-0456  
(573) 635-7166

3. On March 9, 1999, Alma Telephone Company ("Alma"), MoKan Dial, Inc. ("MoKan"), Mid-Missouri Telephone Company ("Mid-Missouri"), Choctaw Telephone Company ("Choctaw"), Chariton Valley Telephone Company ("Chariton Valley"), and Peace

Valley ("Peace Valley") filed tariff sheets designed to tariff rates for the termination of intra-Major Trading Area ("MTA") Commercial Mobile Radio Service ("CMRS") originated traffic.

4. On April 1, 1999, the Staff of the Missouri Public Service Commission ("Staff") filed motions to suspend the proposed tariff sheets and applications to intervene. Staff recommended that the filing be suspended and set for hearing to determine the appropriateness of applying tariffed access rates to intra-MTA CMRS-originated traffic.

5. On April 8, 1999, the Commission issued separate Orders suspending the proposed tariffs of Alma, MoKan, Mid-Missouri, Choctaw, Chariton Valley, and Peace Valley in Case Nos. TT-99-428, TT-99-429, TT-99-430, TT-99-431, TT-99-432, and TT-99-433. The Commission found that there were questions of fact and of compliance with the applicable statutes that must be resolved before the Commission can approve the proposed tariff sheets. The Commission also noted that a hearing might be necessary in order to resolve these issues.

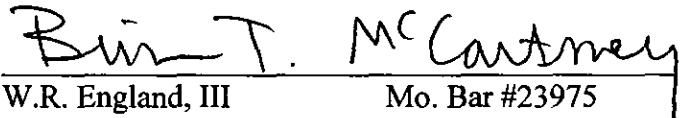
6. Applicants file this Application to Intervene in the instant proceeding on the grounds that the Commission's decisions in this case may directly affect their interests as providers of telecommunications services in Missouri. Applicants are similarly situated with Alma, MoKan, Mid-Missouri, Choctaw, Chariton Valley, and Peace Valley in that they are being required to terminate CMRS originated calls without compensation. Applicants generally support the proposed tariff revisions that will make it clear that, absent an interconnection agreement, intrastate access charges will apply to the termination of this traffic.

7. The Applicants have an interest in this proceeding which is different from that of the general public, and the Applicants' expertise in and perspective on the provision of telecommunications services in this State will aid the Commission in resolving the issues related to this proceeding. Consequently, the Applicants' intervention and participation will serve the

public interest.

WHEREFORE, Applicants respectfully request that the Commission issue an Order authorizing them to intervene in the above-captioned proceeding and for such other orders as are reasonable in the circumstances.

Respectfully submitted,



W.R. England, III                      Mo. Bar #23975  
Brian T. McCartney                  Mo. Bar #47788  
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Attorneys for the Small Telephone Company Group

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed or hand-delivered, this 28<sup>th</sup> day of April, 1999, to:

Office of Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Craig S. Johnson  
Andereck, Evans, Milne, Peace & Baumhoer  
P.O. Box 1438  
Jefferson City, MO 65102

Brian T. McCartney  
W.R. England, III/Brian T. McCartney

**ATTACHMENT A**

BPS Telephone Company  
Cass County Telephone Company  
Citizens Telephone Company  
Craw-Kan Telephone Cooperative, Inc.  
Ellington Telephone Company  
Farber Telephone Company  
Fidelity Telephone Company  
Goodman Telephone Company  
Granby Telephone Company  
Grand River Mutual Telephone Corporation  
Green Hills Telephone Corporation  
Holway Telephone Company  
Iamo Telephone Company  
Kingdom Telephone Company  
KLM Telephone Company  
Lathrop Telephone Company  
Le-Ru Telephone Company  
McDonald County Telephone Company  
Mark Twain Rural Telephone Company  
Miller Telephone Company  
New Florence Telephone Company  
Oregon Farmers Mutual Telephone Company  
Ozark Telephone Company  
Rock Port Telephone Company  
Seneca Telephone Company  
Steelville Telephone Exchange, Inc.