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January 28, 2004

**FILED<sup>2</sup>**  
JAN 28 2004  
Missouri Public  
Service Commission

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Re: Case No. IR-2004-0272

Dear Judge Roberts:

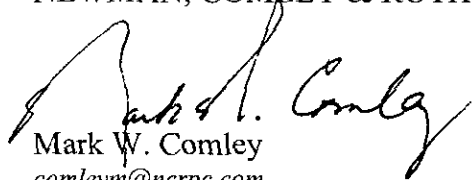
Please find enclosed for filing in the referenced matter an original and five copies of AT&T Communications of the Southwest, Inc.'s Application to Intervene.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley  
comleym@ncrpc.com

MWC:kjh

Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
W. R. England, III  
Sheldon K. Stock

FILED<sup>2</sup>

JAN 28 2004

Missouri Public  
Service Commission

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

In the Matter of the Application of Fidelity	)	Case No. IR-2004-0272
Telephone Company for authority to file,	)	Tariff File No. YI-2004-0812
establish, and put into effect new, increased,	)	Tariff File No. YI-2004-0813
or revised rates and charges for telephone	)	Tariff File No. YI-2004-0814
service.	)	Tariff File No. YI-2004-0815

**AT&T COMMUNICATIONS OF THE SOUTHWEST, INC'S  
APPLICATION TO INTERVENE**

Comes now AT&T Communications of the Southwest, Inc. pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Application to Intervene respectfully states the following to the Commission:

1. AT&T is a competitive local and interexchange telecommunications company duly incorporated and existing under and by virtue of the laws of the State of Delaware, authorized to do business in the State of Missouri as a foreign corporation. AT&T's principal Missouri offices are located at 101 W. McCarty, Ste. 216, Jefferson City, MO 65101. AT&T has been granted authority to provide local exchange service and basic local exchange service in portions of Missouri, as well as intrastate, interexchange telecommunications services throughout Missouri under authority granted and tariffs approved by the Commission. AT&T is also an authorized provider of interstate interexchange telecommunications services under the oversight and jurisdiction of the Federal Communications Commission.

2. All communications and pleadings in this case should be directed to:

Rebecca B. DeCook Colorado #014590  
1875 Lawrence Street, Ste. 1575  
Denver, CO 80202  
[decook@att.com](mailto:decook@att.com)

Mark W. Comley  
Newman, Comley & Ruth P.C.  
601 Monroe Street, Suite 301  
P.O. Box 537  
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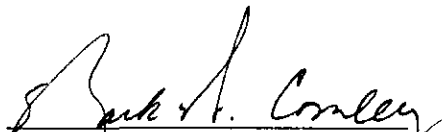
3. On December 30, 2003, Fidelity Telephone Company (Fidelity) submitted to the Missouri Public Service Commission proposed tariff sheets intended to implement a general rate increase for telephone service provided to customers in the Missouri service area of the Company. On January 13, 2004 the Commission issued an order and notice directing that interested parties wishing to intervene must do so on or before January 28, 2004. This application is therefore timely.

4. AT&T is a purchaser of Fidelity's access services and as well as a competitor of Fidelity. As a wholesale customer and competitor, AT&T has an interest in this proceeding that is different from that of the general public. AT&T may be adversely affected by the rate increases proposed by Fidelity. Therefore, a decision on this matter will affect its interest as a provider of telecommunications services in Missouri.

5. Further, AT&T's participation in this proceeding is in the public interest because of AT&T's expertise in the telecommunications industry. At this time, AT&T is unsure of the position it will take on the new rates proposed and the issues that may arise in this proceeding.

WHEREFORE, for the foregoing reasons, AT&T respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle AT&T to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on its argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,



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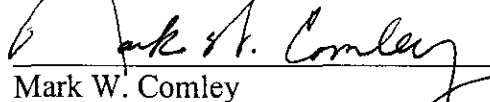
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Attorneys for AT&T Communications of the  
Southwest, Inc.

ATTORNEY VERIFICATION

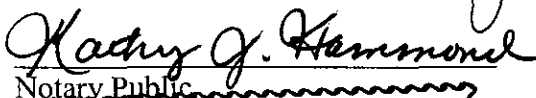
STATE OF MISSOURI     )  
                                      ) ss.  
COUNTY OF COLE     )

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for AT&T Communications of the Southwest, Inc. which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

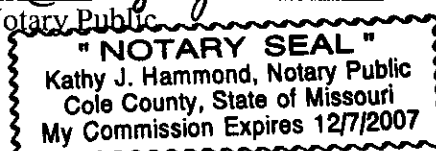


Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 28<sup>th</sup> day of January, 2004.



Notary Public

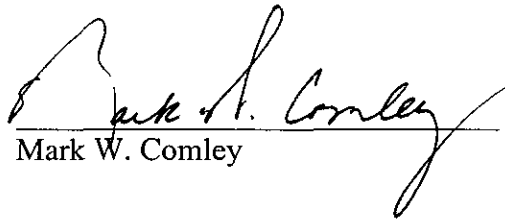


### Certificate of Service

I hereby certify that on this 28<sup>th</sup> day of January, 2004, a true and correct copy of the above and foregoing document was sent via e-mail to General Counsel's Office at [gencounsel@psc.state.mo.us](mailto:gencounsel@psc.state.mo.us) and Office of Public Counsel at [opcservice@ded.state.mo.us](mailto:opcservice@ded.state.mo.us); and I further certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid to:

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312 East Capitol Avenue  
Post Office Box 456  
Jefferson City, Missouri 65102,

Sheldon K. Stock  
Jason L. Ross  
Greensfelder, Hemker & Gale, P.C.  
10 South Broadway, Suite 2000  
St. Louis, Missouri 63102-1774

  
Mark W. Comley