

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
JUNE 30, 1999

CASE NO: TT-99-428, TT-99-429, TT-99-430, TT-99-431, TT-99-432, & TT-99-433

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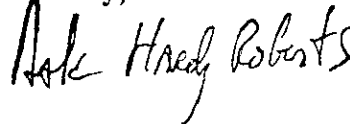
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Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts**  
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

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

|  |   |                           |
|--|---|---------------------------|
| In the Matter of Alma Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2.            | ) | <u>Case No. TT-99-428</u> |
|  | ) | Tariff No. 9900658        |
| In the Matter of MoKan Dial, Inc.'s Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2.                  | ) | <u>Case No. TT-99-429</u> |
|  | ) | Tariff No. 9900656        |
| In the Matter of Mid-Missouri Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2.    | ) | <u>Case No. TT-99-430</u> |
|  | ) | Tariff No. 9900712        |
| In the Matter of Choctaw Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 1          | ) | <u>Case No. TT-99-431</u> |
|  | ) | Tariff No. 9900667        |
| In the Matter of Chariton Valley Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2. | ) | <u>Case No. TT-99-432</u> |
|  | ) | Tariff No. 9900657        |
| In the Matter of Peace Valley Telephone Company's Filing to Revise its Access Service Tariff, P.S.C. Mo. No. 2.    | ) | <u>Case No. TT-99-433</u> |
|  | ) | Tariff No. 9900655        |

(Consolidated Cases)

**ORDER GRANTING INTERVENTION AND**  
**GRANTING PARTICIPATION WITHOUT INTERVENTION**

All of the above-captioned cases involve tariffs suspended on April 4, 1999, at the request of the Staff of the Missouri Public Service Commission (Staff). All of the cases involve the same issue of law: Whether the local telephone companies involved are allowed to amend their tariffs so that they can apply their switched access rates to traffic originating on a commercial mobile radio service (CMRS)

that terminates in their territory. On May 11, 1999, the Commission ordered the cases consolidated.

On April 26, 1999, Sprint Spectrum L. P. d/b/a Sprint PCS (PCS) filed an application to intervene. PCS stated that it is authorized by the Federal Communications Commission (FCC) to provide CMRS within Missouri. PCS also stated that as a CMRS provider, PCS' interests would be directly affected by the tariff changes and its interests are different from those of the general public.

On April 27, 1999, Southwestern Bell Telephone Company (SWBT) filed an application to intervene in all cases. SWBT stated that it is a local exchange telecommunications company and a public utility authorized to provide telecommunications service. SWBT also stated that it seeks to intervene because it has a direct interest in the Commission's decision on the proposed tariff revision since, if approved, there may be attempts to apply it to SWBT in some circumstances. SWBT stated that its interests differ from those of the general public because the proposed revision may have application to SWBT and no other party will adequately protect SWBT's interests.

On April 28, 1999, the Small Telephone Company Group (STCG) filed an application to intervene in all cases. STCG stated that it represents telecommunications companies and public utilities who are incumbent local exchange companies providing basic local, local, and exchange access services in parts of Missouri. STCG stated that it seeks to intervene on the grounds that the Commission's decisions may directly affect its interests as providers of telecommunications

services in Missouri. STCG stated that it has an interest which is different from that of the general public.

On April 28, 1999, Southwestern Bell Wireless (SWBW), Inc. filed an application to intervene in all cases. SWBW stated that it is a telecommunications company providing wireless (i.e., commercial mobile radio service) telecommunications service within Missouri. SWBW stated that it seeks to intervene since it is a wireless carrier with a direct interest in the decision on the proposed tariff revision. SWBW's interests differ from those of the general public because the proposed revision is directed at wireless carriers such as SWBW.

On April 28, 1999, AT&T Wireless Services (ATTW), Inc. filed an application to intervene in all cases. ATTW stated that it is a telecommunications carrier authorized by the FCC to provide CMRS. ATTW's stated that its interests as a provider of CMRS are different than those of the general public.

All proposed intervenors are hereinafter referred to as Intervenors. The Commission has examined the pleadings and found that there is the showing required by 4 CSR 240-2.075(4) that the Intervenors have interests in the proceeding which are different from that of the general public and that granting the intervention of the Intervenors will serve the public interest. Thus, Intervenors will be granted intervention.

On April 28, 1999, GTE Midwest Incorporated (GTE) filed an application to participate without intervention in Case No. TT-99-433. GTE stated that it is a telecommunications company and a public

utility providing local exchange telecommunications service within Missouri. GTE stated that it seeks to participate without intervention since GTE serves as a primary toll carrier in Missouri for Peace Valley Telephone Company, the applicant in TT-99-433. GTE also stated that since it had insufficient information available to identify all the issues, GTE reserved its right to state its position and participate with regard to any matter or issue arising in this proceeding.

The Commission has examined the pleadings and found that there is the showing required by 4 CSR 240-2.075(5) that GTE has made: full disclosure of its interests, a full statement of the position it intends to take, contentions which are reasonably relevant to the issues already presented, and a written request to participate without intervention. Thus, GTE will be granted participation without intervention.

**IT IS THEREFORE ORDERED:**

1. That Sprint Spectrum L. P. d/b/a Sprint PCS, Southwestern Bell Telephone Company, Small Telephone Company Group, Southwestern Bell Wireless, and AT&T Wireless Services are granted intervention.

2. That GTE Midwest Incorporated is granted participation without intervention.

3. That this order shall become effective on July 12, 1999.

**BY THE COMMISSION**

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Bill Hopkins, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to 4 CSR 240-2.120(1) (November 30,  
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 30th day of June, 1999.