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August 26, 1998

**FILED**

AUG 26 1998

Missouri Public  
Service Commission

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

**Re: Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance;  
Case No. TA-99-47**

Dear Mr. Roberts:

Enclosed please find the original plus fourteen (14) copies of Application to Participate Without Intervention for filing on behalf of Fidelity Telephone Company and Bourbeuse Telephone Company in the above referenced matter. Please bring this matter to the attention of the appropriate Commission personnel. A copy of this filing is being sent to all parties of record.

Thank you for your attention to this matter.

Very truly yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

*Sandra Morgan*

Sondra B. Morgan

SBM/k

Enclosures

cc: Office of Public Counsel  
Staff, Missouri Public Service Commission  
John P. Lube  
James M. Fischer  
Craig S. Johnson  
Kathy Davis  
Bob Schoonmaker

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED

AUG 26 1998

Missouri Public  
Service Commission

In the Matter of the Application of )  
Southwestern Bell Communications )  
Services, Inc., d/b/a Southwestern ) Case No. TA-99-47  
Bell Long Distance for a Certificate )  
of Service Authority to provide )  
Interexchange Telecommunications )  
Services within the State of Missouri. )

FIDELITY TELEPHONE COMPANY'S  
APPLICATION TO PARTICIPATE WITHOUT INTERVENTION

Comes now Fidelity Telephone Company (hereinafter "Fidelity" or "Applicant") and in support of its Application to Participate Without Intervention in the above-captioned matter states that:

1. Applicant currently provides telecommunication services to members of the public located in those areas certificated to it by the Missouri Public Service Commission ("Commission"). As is relevant to this case, Applicant provides "local telecommunication services" within the exchanges as defined by its tariff which is on file with and approved by the Commission. Applicant is a "telecommunications company" and "public utility" as those terms are defined by Section 386.020, RSMO 1994, and is, therefore subject to the jurisdiction, regulation and control of the Commission as provided by law. Applicant also is a rural telephone company and incumbent local exchange carrier as defined by the Federal Telecommunications Act of 1996 (the "Act").

2. All correspondence, communications, orders and decisions in this matter should be addressed to the following:

W.R. England, III  
Sondra B. Morgan  
Brydon, Swearngen & England, P.C.  
P.O. Box 456  
Jefferson City, Missouri 65102  
(573) 635-7166

3. On August 4, 1998, Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance ("Bell") filed an Application with the Commission for a

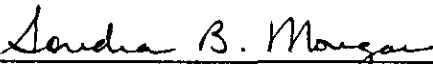
certificate of service authority to provide interexchange telecommunications services within the State of Missouri. Bell states that through this application, it hopes to resolve any issues related to Missouri's statutory requirements and the Commission's rules for certification so that it will be in a position to start offering service as soon as it is permitted by federal law.

4. The Commission established a deadline for the filing of applications to intervene of August 26, 1998.

5. Applicant requests that it be granted participation without intervention in this matter in order to monitor the proceeding which may have an effect on its status as a local exchange company provider as it relates to responsibilities under the Primary Toll Carrier Plan and the proposed Originating Responsibility Plan. Applicant's interest is different from that of the general public in this proceeding. Applicant does not oppose or support this Application at present, but only wishes to participate without intervention.

WHEREFORE, Fidelity Telephone Company respectfully requests that the Commission issue an Order authorizing it to participate without intervention in the above captioned proceeding and for such other orders as are reasonable in the circumstances.

Respectfully Submitted,

  
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W.R. England, III Mo. Bar #23975  
Sondra B. Morgan Mo. Bar #35482  
Brydon, Swearngen & England, P.C.  
P.O. Box 456  
Jefferson City, MO 65102

Attorneys for  
Fidelity Telephone Company

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed, United States Mail, postage prepaid, this 26th day of August, 1998, to the following:

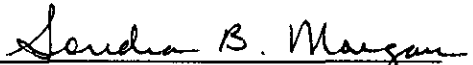
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P.O. Box 456  
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