

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
CHARLES E. SMARR

312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-0427

DEAN L. COOPER
MARK G. ANDERSON
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DIANA C. FARR
JANET E. WHEELER

OF COUNSEL
RICHARD T. CIOTTONE

October 17, 2002

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

FILED³

OCT 17 2002

Missouri Public
Service Commission

Re: Case No. TC-2002-57 et al.

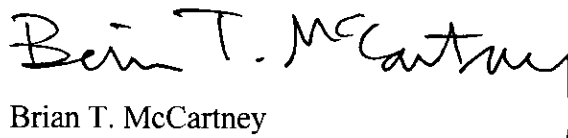
Dear Mr. Roberts:

Enclosed for filing on behalf of the Small Telephone Company Group, please find an original and eight copies of the following documents:

1. Petition for Leave to File Brief as an *Amicus Curiae*; and
2. *Amicus Curiae* Brief of the Small Telephone Company Group.

Please see that these filings are brought to the attention of the appropriate Commission personnel. If there are any questions regarding the filings, please give me a call. I thank you in advance for your attention to and cooperation in this matter.

Sincerely,


Brian T. McCartney

BTM/da
Enclosures
cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

OCT 17 2002

Missouri Public
Service Commission

Northeast Missouri Rural Telephone Company)
and Modern Telecommunications Company,)

Petitioners,)

vs.)

Southwestern Bell Telephone Company,)
Southwestern Bell Wireless (Cingular),)
Voicestream Wireless (Western Wireless),)
Aerial Communications, Inc., CMT Partners)
(Verizon Wireless), Sprint Spectrum LP,)
United States Cellular Corp., and Ameritech)
Mobile Communications, Inc.,)

Respondents.)

Case No. TC-2002-57et al.

PETITION FOR LEAVE TO FILE BRIEF AS AN AMICUS CURIAE

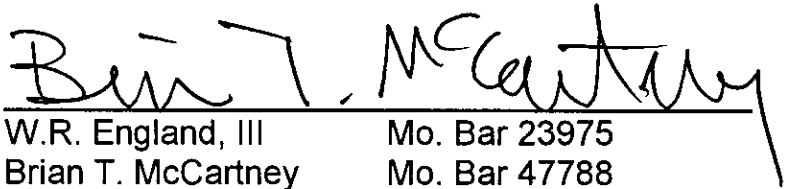
Comes now the Small Telephone Company Group (STCG), pursuant to Commission Rule 4 CSR 240-2.075(6) and for its Petition for Leave to File Brief as an *Amicus Curiae* states as follows:

1. The member companies of the STCG are listed in Attachment A.
2. This case involves issues related to the termination of wireless-originated telecommunications traffic to Missouri's small incumbent local exchange companies. Specifically, it addresses at least two issues which directly affect the member companies of the STCG: (1) wireless-originated traffic that is delivered to small Missouri ILECs which have in place Commission-approved

wireless termination service tariffs; and (2) wireless-originated traffic that was delivered to small Missouri ILECs prior to the approval of the tariffs and in the absence of a compensation or interconnection agreement.

WHEREFORE, the STCG respectfully requests that the Commission grant leave to file the attached brief as an *Amicus Curiae* and grant such other relief as is appropriate in the circumstances.

Respectfully submitted,



W.R. England, III Mo. Bar 23975

Brian T. McCartney Mo. Bar 47788

Brydon, Swearngen & England P.C.

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102-0456

573/635-7166

573/634-7431 (facsimile)

Email: trip@brydonlaw.com

brian@brydonlaw.com

Attorneys for the STCG

ATTACHMENT A

BPS Telephone Company
Cass County Telephone Company
Citizens Telephone Company
Craw-Kan Telephone Cooperative, Inc.
Ellington Telephone Company
Fidelity Telephone Company
Goodman Telephone Company, Inc.
Granby Telephone Company
Grand River Mutual Telephone Company
Green Hills Telephone Corp.
Holway Telephone Company
Iamo 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
Peace Valley Telephone Company
Seneca Telephone Company

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed or hand-delivered, this 17th day of October, 2002 to:

David Meyer
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Joseph D. Murphy
Meyer Capel
P.O. Box 6750
Champaign, IL 61826-6750

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

Tom Pulliam
Ottosen Mauze Leggat & Belz L.C.
112 S. Hanley Road
St. Louis, MO 63105

Paul DeFord
Lathrop & Gage
2345 Grand Blvd.
Kansas City, MO 64111

Larry Dority
Fischer & Dority
101 Madison Street, Suite 400
Jefferson City, MO 65101

Leo Bub
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101

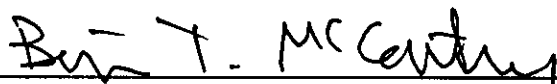
Richard Brownlee
221 Bolivar Street
Jefferson City, MO 65101

Lisa Creighton Hendricks
Sprint Missouri, Inc.
6450 Sprint Parkway, Bldg 14
Mail Stop: KSOPHN0212-2A253
Overland Park, KS 66251

Monica M. Barone
Sprint PCS
6160 Sprint Parkway, 4th Floor
Mail Stop: KSOPH10414
Overland Park, KS 66251

Craig Johnson
Andereck, Evans, Milne et al.
700 E. Capitol
P.O. Box 1438
Jefferson City, MO 65102

Mark P. Johnson
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111



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