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February 28, 2005

**FILED**

FEB 28 2005

EUGENE E. ANDERECK (1923-2004)  
GREGORY C. STOCKARD (1904-1993)  
PHIL HAUCK (1924-1991)

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

Missouri Public  
Service Commission

Re: Northeast Missouri Rural Telephone Company, et al., v Southwestern Bell  
Telephone Company, et al.  
Case No. TC-2002-57

Dear Secretary:

Enclosed for filing please find an original and eight copies of the Request for  
Supplemental Briefing in the above referenced case.

If you have any questions, please contact me at the number listed above.

Sincerely,

  
Craig S. Johnson

CSJ:lw

Encl.

CC: Office of Public Counsel  
General Counsel, PSC  
All Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED

FEB 28 2005

Northeast Missouri Rural Telephone )  
Company, )  
et al., )  
Petitioners, )  
v. )  
Southwestern Bell Telephone Company, )  
et al., )  
Respondents. )

Missouri Public  
Service Commission

Case No. TC-2002-57, et al  
(consolidated)

REQUEST FOR SUPPLEMENTAL BRIEFING

Come now the MITG Companies, and hereby make a request that all parties be allowed to file a Supplemental Brief addressing the impact of the recent FCC decision by a simultaneous filing date.

In support hereof, the MITG states as follows:

1. This case has been fully briefed and submitted. To date, there is no decision from the Commission, and as far as the undersigned is aware, no scheduled decision in this matter.

2. On February 24, 2005, the FCC, in CC Docket 01-92, released a Declaratory Ruling and Report and Order regarding the propriety of application of state tariffs to wireless traffic. That FCC decision denied T-Mobile's petition to determine state tariffs could not properly be applied to wireless traffic. However, that same decision announced modification of the FCC's rules, on a prospective


basis, to prohibit the use of tariffs. The decision also amended the FCC rules to give ILECs the right to request negotiations with wireless carriers, and the power to take those requested negotiations to arbitration if necessary.

3. The MITG believes that there are determinations made by the FCC that are pertinent to the issues pending in this case, and that all parties should have an equal opportunity to file a simultaneous supplemental brief addressing the impact of this recent FCC decision on this pending case.

WHEREFORE, on the basis of the foregoing, the MITG respectfully request that the Commission enter an Order allowing all parties to file a single Simultaneous Supplemental Brief, on or before March 30, 2005, addressing the impact of this recent FCC decision on this case.

Respectfully Submitted,

ANDERECK EVANS MILNE PEACE  
& JOHNSON, LLC


By 

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ATTORNEYS FOR MITG

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and accurate copy of the foregoing was mailed, via U.S. Mail, postage prepaid, this 28 day of February, 2005, to all attorneys of record in this proceeding.

  
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Craig S. Johnson MO Bar No. 28179