

**FILED<sup>2</sup>**

**APR 18 2003**

**Missouri Public  
Service Commission**

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

In the Matter of Chariton Valley	)	
Telephone Company's filing of a	)	Case No. IT-2003-0375
Tariff, PSC Mo. No. 3	)	Tariff No. JL-2003-1661

**SPRINT'S APPLICATION TO INTERVENE**

COMES NOW Sprint Spectrum L.P. d/b/a Sprint PCS ("Sprint") and respectfully submits its Application to Intervene in this proceeding pursuant to 4 CSR 240-2.075. In support of its Application, Sprint states as follows:

1. On March 5, 2003, Chariton Valley Telephone Company ("Chariton") filed a proposed Wireless Termination Service Tariff. On March 19, 2003, Chariton filed substitute pages. The tariff covers charges for the termination of wireless calls in Chariton's service area. The tariff is similar in many respects to tariffs approved by the Commission in TT-2001-139. Sprint objected to the approval of those tariffs and is currently involved in the appeal of the approval.

2. On April 3, 2003, the Commission suspended Chariton's proposed tariff for 60 days after the effective date, or until June 5, 2003. To date, to Sprint's knowledge, no other party has intervened.

3. In this application, Sprint seeks to intervene in this case. Sprint is a Commercial Mobile Radio Service provider as that term is defined in the Federal Telecommunications Act and is subject to the jurisdiction of the Federal Communications Commission. ("FCC") Further, Sprint is a limited partnership organized under the laws of the state of Delaware. Sprint is duly authorized to conduct business in Missouri with its principal office located at 6200 Sprint Parkway, Overland Park, Kansas 66251.

4. Sprint's interest in this proceeding is different from that of the general public. Sprint will be impacted by the Commission's decision in this case as the subject tariffs apply to its traffic within Missouri. Further, while Sprint maintains its objection to the approval of any tariff similar to the ones approved in TT-2001-139, the tariff in this case raises an additional unique issue -- the ability of the incumbent carrier to unilaterally set an interMTA factor in violation of the standards set by the FCC. Specifically, the FCC has ruled that "the location of the initial cell site when the call begins shall be used as the determinate of the geographic location of the customer." (*See First Report and Order* at Para 1044). The methodology for identifying the MTA factor put forth by Chariton is not consistent with this ruling.

5. Granting Sprint's Application to Intervene will also be in the public interest because Sprint will bring to this proceeding its expertise in the areas being investigated and its experience as a CMRS provider.

6. Pursuant to 4 CSR 240-2.075(2), Sprint states that it opposes the tariff revisions under review in this case.

7. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Lisa Creighton Hendricks  
Attorney for Sprint  
6450 Sprint Parkway  
MS: KSOPHN0212-2A253  
Overland Park, Kansas 66251  
Voice: 913-315-9363  
Fax: 913-523-9829  
[Lisa.c.creightonhendricks@mail.sprint.com](mailto:Lisa.c.creightonhendricks@mail.sprint.com)

WHEREFORE, Sprint respectfully requests that the Commission grant this Application to Intervene, together with any further and/or additional relief the Commission deems just and proper.

Respectfully submitted,

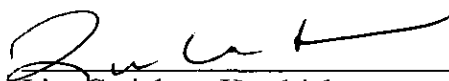
**SPRINT**



Lisa Creighton Hendricks - MO Bar #42194  
6450 Sprint Parkway  
MS: KSOPHN0212-2A253  
Overland Park, Kansas 66251  
Voice: 913-315-9363  
Fax: 913-523-9829  
[Lisa.c.creightonhendricks@mail.sprint.com](mailto:Lisa.c.creightonhendricks@mail.sprint.com)

**VERIFICATION**

I, Lisa Creighton Hendricks, an attorney for Sprint, hereby verify and affirm that I have read the foregoing Application of Sprint Spectrum L.P. d/b/a/ Sprint PCS for intervention and that the statements contained therein are true and correct to the best of my information and belief.



Lisa Creighton Hendricks  
Senior Attorney, SPRINT

Subscribed and sworn to before me this 17<sup>th</sup> day of April, 2003.



Notary Public

My Appointment Expires: 4/3/04



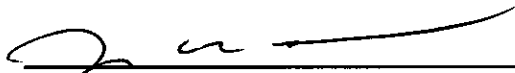
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the above and foregoing was served on each of the following parties by first-class/electronic/facsimile mail, this 17th day of April, 2003.

Michael Dandino  
Office of Public Counsel  
P. O. Box 7800  
Jefferson City, Missouri 65102  
[mdandino@ded.state.mo.us](mailto:mdandino@ded.state.mo.us)

William K. Haas  
Deputy General Counsel  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, Missouri 65102  
[whaas01@mail.state.mo.us](mailto:whaas01@mail.state.mo.us)

Craig S. Johnson  
Andereck, Evans, Milne, Peace & Johnson, LLC  
The Col. Darwin Marmaduke House  
700 East Capitol, Box 1438  
Jefferson City, MO 65102

  
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Lisa Creighton Hendricks