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December 3, 2002

FILED³

DEC 03 2002

**Missouri Public
Service Commission**

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Mr. Dale Hardy Roberts
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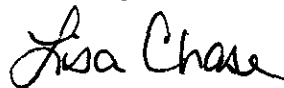
**Re: Missouri Independent Telephone Company Group's ("MITG")
Application to Intervene in CO-2003-0162**

Dear Judge Roberts:

Enclosed for filing please find an original and eight (8) copies of Missouri Independent Telephone Company Group's ("MITG") Application to Intervene in CO-2003-0162.

Thank you for seeing this filed.

Sincerely,



Lisa Cole Chase

cc: Trip England/Sondra Morgan
Office of Public Counsel
PSC General Counsel
MITG Managers

BEFORE THE
PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED³
DEC 03 2002

In the Matter of Green Hills Area)
Cellular Telephone, Inc., d/b/a Green)
Hills Telecommunication Services for)
for Designation as a Telecommunications)
Company Carrier Eligible for Federal)
Universal Service Support Pursuant to)
Section 254 of the Telecommunications)
Act of 1996)

Missouri Public
Service Commission

Case No. CO-2003-0162

APPLICATION TO INTERVENE

COMES NOW the Missouri Independent Telephone Group (MITG), consisting of Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, Modern Telecommunications Company, MoKan Dial, Inc., and Northeast Missouri Rural Telephone Company, pursuant to 4 CSR 240-2.075 and Commission's November 14, 2002 Order Directing Notice, and presents this Application to Intervene:

1. Green Hills Area Cellular Telephone Company, Inc. asserts that it is a Missouri corporation doing business as Green Hills Telecommunications Services, which is a competitive local exchange company certified by the Commission to provide basic local telecommunication service in the state of Missouri.

2. In its Application, Green Hills Area Cellular Telephone Company, Inc., d/b/a Green Hills Telecommunications Services (GHTS) requests the Missouri Public Service Commission designate it as a telecommunications carrier eligible under the provisions of 47 CFR 54.201(d) to receive Federal Universal Service Support. GHTS also states that pursuant to tariffs approved by the Commission, it provides basic local telecommunication service through the use of its own facilities in one Missouri exchange, Norborne.

3. It is not clear from the Application whether Green Hills Area Cellular Telephone Company, Inc., d/b/a as Green Hills Telecommunications Services is seeking designation as an eligible telecommunications carrier ("ETC") under the provisions of 47 CFR 54.201(d) as a wireless carrier or in its capacity as a CLEC. The corporate name 'Green Hills Area Cellular Telephone Company, Inc.' suggests that they are a wireless carrier. It is also unclear whether Green Hills is seeking such designation in the Norborne exchange only.

4. Green Hills' request for designation as an ETC possibly in the service areas of the MITG companies makes the interest of the MITG companies in Green Hills' Application different from that of the general public, for which reason intervention allowing the MITG's participation in this docket would serve the public interest. The MITG companies also have an interest in the precedent set forth for setting the procedures to ensure companies seeking ETC status, such as Green Hills, meet the Federal and State qualifications.

5. The MITG companies are small rural incumbent local exchange companies receiving Federal Universal Service Support in their exchange areas. An ETC designation in the MITG territory currently enables both the ILEC and the ETC to receive Universal Service Funds from the FCC, however, due to the FCC's concerns regarding the 'excessive growth' of the fund, the FCC has recently issued an Order requiring the Federal-State Joint Board to look into the portability of such support and the method under which such support is calculated and issued amongst competing carriers. The FCC has made the universal service fund the 'explicit' funding source for rural carriers high costs of providing services, thus the 'portability' issue is critical to the MITG companies. Under 47 CFR § 54.201(c), "Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the state commission shall find that the designation is in the public interest." At this time, because the

MITG is uncertain of the scope of the service area and whether Green Hills is requesting designation as an ETC in its capacity as a cellular carrier or CLEC, the MITG is unable to state if it opposes the certification request. If Green Hills does qualify for ETC status, such designation should be limited to it's CLEC operation in the Norborne exchange only, where Green Hills indicates it provides basic local telecommunications service through the use of its own facilities.

6. The questions, concerns, and potential issues of the MITG, as raised by the terms of Green Hills' requested designation as an ETC include the following:

- a. Is Green Hills request in it's capacity as a wireless carrier or as a CLEC?
- b. Is Green Hills request limited to the Norborne exchange?
- c. Is granting Green Hills request, to the extent it is in the area served by the MITG companies, in the public interest?

WHEREFORE, on the basis of the foregoing, the MITG respectfully requests that its member companies be allowed to intervene and protect their interests in this proceeding, as set forth above.


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PEACE & JOHNSON, L.L.C.**

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ATTORNEYS FOR MITG COMPANIES

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was mailed, U.S. Mail, postage pre-paid, this 3rd day of December, 2002, to counsel for Green Hills, Staff General Counsel, and to Office of the Public Counsel.



Lisa Cole Chase