

GATEWAY LEGAL SERVICES, INC.

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St. Louis, MO 63108

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FILED

JAN 27 1999

Missouri Public
Service Commission

Michael Ferry

January 22, 1999

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

Re: Case No. TO-99-227
Motion to Participate Without Intervention

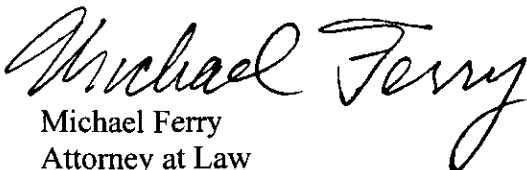
Dear Secretary Roberts:

Enclosed please find the original and 15 copies of a Motion to Participate Without Intervention in the above case, which I am filing on behalf of the organizations listed in the Motion.

Please ask your office to file-stamp one of the enclosed copies and return it to me for my file. A self-addressed stamped envelope is enclosed for your convenience.

Thank you for your cooperation in this matter. Please feel free to call if you have any questions or need additional information.

Sincerely,



Michael Ferry
Attorney at Law

MF:hs
Encl.

FILED

JAN 27 1999

PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of the Application of Southwestern)
Bell Telephone Company to Provide Notice of)
Intent to File an Application for Authorization)
to Provide In-region InterLATA Services)
Originating in Missouri Pursuant to Section 271)
of the Telecommunications Act of 1996)

Case No. TO-99-227

MOTION OF
MISSOURI ALLIANCE OF AREA AGENCIES ON AGING, MISSOURI ASSOCIATION
FOR THE DEAF, MISSOURI COUNCIL OF THE BLIND, NATIONAL SILVER
HAired CONGRESS, NATIONAL COUNCIL OF SILVER HAired
LEGISLATURES, PARAQUAD, AND ST. LOUIS GATEWAY SENIORNET
TO PARTICIPATE WITHOUT INTERVENTION

Come now the Missouri Alliance Of Area Agencies On Aging, the Missouri Association For The Deaf, the Missouri Council Of The Blind, the National Silver Haired Congress, the National Council of Silver Haired Legislatures, Paraquad, and St. Louis Gateway SeniorNet, by counsel, and respectfully move to participate without intervention in the above matter, pursuant to 4 CSR §240-2.075.

In support of their motion, the parties state as follows:

1. Parties and Interests

a. Missouri Alliance of Area Agencies on Aging is a coalition of Missouri area agencies on aging which advocates for the interests of senior citizens.

b. Missouri Association for the Deaf is a not-for-profit organization which advocates for the interests of people who are deaf and hard of hearing.

c. Missouri Council of the Blind is a not-for-profit organization which advocates for the interests of people who are blind and visually impaired.

d. National Council of Silver-Haired Legislatures is a not-for-profit organization which advocates for the interests of senior citizens.

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e. National Silver-Haired Congress is a not-for-profit organization which advocates for the interests of senior citizens.

f. Paraquad, Inc., is a not-for-profit corporation which advocates for the interests of people with disabilities.

g. St. Louis Gateway SeniorNet is a not-for-profit corporation which provides training for older adults in the use of computers and telecommunications.

All of the parties are not-for-profit organizations that represent senior consumers and consumers with disabilities. Their joint interest is to ensure that their members and other Missourians similarly situated have access to telecommunications of the highest possible quality.

As organizations that represent and advocate for the rights and interests of senior citizens and people with disabilities, the parties have a perspective which is distinct and different from that of the general public. They can provide useful information to the Commission on how the rights and interests of seniors and people with disabilities can best be protected.

2. Statement of Position

The parties intend to take the position that:

a. Telecommunications technology of the highest possible quality can enhance the lives of senior Missourians and Missourians with disabilities and increase their ability to live independently. It will make possible services such as in-home medical care from remote locations, video telephony that allows people who are deaf to communicate with sign language, conduct of financial activities from home, and training and educational opportunities otherwise unavailable to those who cannot travel. Such technology may also make it possible for people to hold gainful employment who otherwise could not do so.

b. Affordable technology reflecting the current state of the art, and affordable technology incorporating future advances, should be available to all Missourians in their homes regardless of age or disability.

c. Companies that provide such technology to senior Missourians and Missourians with disabilities in their homes must be given every opportunity to compete in the marketplace and broaden their economic base, so that their ability to continue providing such technology will be preserved.

3. Contentions Relevant to the Issues Already Presented

Southwestern Bell Telephone Company has filed a notice of intent to apply for authorization to provide in-region interLATA services originating in Missouri pursuant to Section 271 of the Telecommunications Act of 1996 (47 U.S.C. §271). When Southwestern Bell files its actual application with the Federal Communications Commission, the FCC will be required to consult with the Missouri Public Service Commission. 47 U.S.C. §271(d)(2)(B). One of the factors considered by the FCC in deciding on the application will be whether the requested authorization is "consistent with the public interest, convenience, and necessity." 47 U.S.C. §271(d)(3)(C).

The parties contend that a favorable report by the PSC and a favorable decision by the FCC will be consistent with the public interest. It is in the public interest for senior citizens and people with disabilities to maintain as much personal independence as possible. Affordable, advanced telecommunications technology will help preserve and increase the ability of seniors and people with disabilities to care for themselves and their needs, to work, to interact, to take part in society, and to make independent choices. Allowing Southwestern Bell Telephone Company to provide interLATA services will help it to sustain and expand its financial base,

which in turn will help it continue to provide technology to the customers it represents and others who are similarly situated.

4. Conclusion

Senior citizens and people with disabilities have a strong interest in preserving and expanding their access to telecommunications. The parties therefore respectfully request permission to participate without intervention in the present proceeding. The parties thank the Commission for considering this request.

Respectfully submitted,



MICHAEL FERRY #29996

ATTORNEY FOR MOVANTS

MISSOURI ALLIANCE OF AREA AGENCIES ON AGING ET AL.

Gateway Legal Services, Inc.

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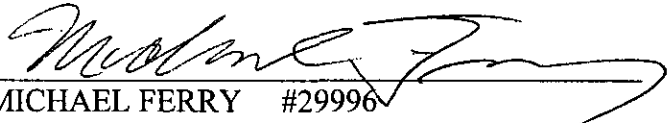
Telephone: (314) 534-0404

Fax: (314) 652-8308

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the parties of record in this cause as listed below by placing same in the U.S. Mail, postage prepaid on this 25th day of January, 1999:

SEE ATTACHED LIST


MICHAEL FERRY #29996

Attorney for Movants

Missouri Alliance of Area Agencies on Aging et al.

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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

~~December 30, 1998~~

CASE NO: TO-99-227

General Counsel
Missouri Public Service Commission
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Jefferson City, MO 65102

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P.O. Box 7800
Jefferson City, MO 65102

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St. Louis, MO 63101

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Kansas City, MO 64108

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Hendren and Andrae, L.L.C.
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Jefferson City, MO 65102

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Curtis, Oetting, Heinz, Garrett & Soule
130 s. Bemiston, Suite 200
Clayton, MO 63105

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MCI Telecommunications Corporation
701 Brazos, Suite 600
Austin, TX 78701

Kenneth A. Schiffman
Sprint Communications Company L.P.
8140 Ward Parkway, 5E
Kansas City, MO 64114

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Kansas City, MO 64108

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Stewart & Keevil, L.L.C.
1001 Cherry Street, Suite 302
Columbia, MO 65201

Mark W. Comley
Newman, Comley & Ruth P.C.
601 Monroe Street, Suite 301
Jefferson City, MO 65102

Certificated Missouri Competitive Local Exchange Companies**CLECs:**

American Communications Services
of Kansas City Inc.
131 Nat'l Business Pkwy.
Suite 100
Annapolis Junction, MD 20701

Ameritech Communications
International
9525 W. Bryn Mawr, Suite 600
Rosemont, IL 60018

AT&T Communications of the
Southwest, Inc.
101 West McCarty, Suite 216
Jefferson City, MO 65101

Atlas Communications, Ltd.
482 Norristown Rd., Suite 200
Blue Bell, PA 19422

BellSouth BSE, INC.
2727 Paces Ferry Road
Atlanta, GA 30339

Birch Telcom of Missouri, Inc.
1004 Baltimore Ave., Suite 900
Kansas City, MO 64105

Broadspan Communications, Inc.
11756 Borman Drive
Suite 101
St. Louis, MO 63146

Brooks Fiber Communications of
Missouri
One Brooks Center Parkway
Town & Country, MO 63017

BTI
4300 Six Forks Rd, Suite 400
Raleigh, NC 27609

Dial & Save of Missouri, Inc.
8750 N. Central Expressway,
Suite 1500
Dallas, TX 75231

Dial US
333 Park Central E
Suite 926
Springfield, MO 65806

Digital Teleport, Inc.
11111 Dorsett Road
St. Louis, MO 63043

Dobson Wireless, Inc.
13439 N. Broadway Ext.
Suite 200
Oklahoma City, OK 73114

Excel Telecommunication Systems,
Inc.
8750 N Central Expressway
Box #6
Dallas, TX 75231

ExOp of Missouri, Inc.
402 A East Bannister Road
Kansas City, MO 64131

EZ Talk Communications, L.L.C.
4727 South Main
Stafford, TX 77477

Fast Connections, Inc.
2200 Ross Ave., Suite 3838
Dallas, TX 75201

Frontier Telemanagement Inc.
180 S. Clinton
Rochester, NY 14646

GE EXCHANGE
6540 Powers Ferry Road
Atlanta, GA 30339

Green Hills Communications, Inc.
7926 NE State Route M
Breckenridge, MO 64625

Group Long Distance, Inc.
6455 E. Johns Crossing
Suite 285
Duluth, GA 30097

GTE Communications Corporation
6665 N. MacArthur
Irving, TX 75039

ICG Telecom Group, Inc.
161 Inverness Drive West
Englewood, CO 80112

Intermedia Communications Inc.
3625 Queen Palm Drive
Tampa, FL 33619

Kansas City Fiber Network, LP
1111 Main St., Suite 300
Kansas City, MO 64105

LCI International Telecom Corp.
d/b/a Qwest Communications
Services
4250 N. Fairfax Drive
Suite 12W055
Arlington, VA 22203

LDD, Inc.
24 South Minnesota
Cape Girardeau, MO 63701

LDM Systems, Inc.
254 S. Main St.
New York, NY 10956

Local Fone Service, Inc.
624 Six Flags Drive, Suite 214
Arlington, TX 76011

Local Line America, Inc.
2680 State Rd.
Cuyahoga Falls, OH 44223

Mark Twain Communications
Company
P.O. Box 128
Hurdland, MO 63547

MAXCOM, Inc.
10647 Widmer Road
Lenexa, KS 66215

Max-Tel Communications, Inc.
102 W. Franklin
Alvord, TX 76225

MCIMetro Access Transmission
Services
2400 North Glenville Dr.
Richardson, TX 75082

McLeodUSA Telecommunications
Services
6400 C Street SW
Cedar Rapids, IA 52406

Megsinet-CLEC, Inc.
225 West Ohio, Suite 200
Chicago, IL 60610

MFS Intelenet of Missouri, Inc.
1705 S. Capital of Texas Hwy.
Suite 100
Austin, TX 78746

Micomm Services, Inc.
4001 McEwen Drive, Suite 200
Dallas, TX 75244

Microwave Services, Inc.
3 Bala Plaza East, Suite 502
Bala Cynwyd, PA 19004

Midwestern Tel
3809 Castelman Ave.
Suite 100
St. Louis, MO 63110

Miller Telephone Co
209 East Main
Miller, MO 65707

Missouri Comm South, Inc.
101 Randol Mill, Suite 108
Arlington, TX 76011

Navigator Telecommunications,
LLC
212 Center St., Suite 1100
Little Rock, AR 72201

NOW Communications, Inc.
713 Country Place Drive
Jackson, MS 39208-6619

Preferred Carrier Services, Inc.
500 Grapevine Hwy., Suite 300
Hurst, TX 76054

Omniplex Communications Group
743 Sprint 40 Park, Suite 250
Chesterfield, MO 63005

QCC, Inc.
8829 Bond Street
Overland Park, KS 66214

Quintelco, INC.
1 Blue Hill Plaza
Pearl River, NY 10965

Reconex
9620 S.W. Barur Blvd., Suite 330
Portland, OR 97219

REN-TEL Communications, Inc.
85 Pine Haven Dr.
Carrollton, GA 30116

Sprint Communications Company
8140 Ward Parkway-5E
Kansas City, MO 64114

Suretel, Inc.
5 North McCormick
Oklahoma City, OK 73127

TCG St. Louis
233 S Wacker Drive, Suite 2100
Chicago, IL 60606

Tel-Link, L.L.C.
1001 Third Avenue West
Suite 354
Bradenton, FL 34205

Tel-Save, Incorporated of
Pennsylvania
6805 Route 202
New Hope, PA 18938

Teligent, Inc.
8065 Leesburg Pike, Suite 400
Vienna, VA 22182

The Cube
1063 Wirt Road, Suite 202
Houston, TX 77005

Transamerican telephone
209 E University
Danton, TX 76201

U.S. Telco, Inc.
1600 Pacific Avenue #2700
Dallas, TX 75201-3565

USLD Communications, Inc.
4250 North Fairfax Drive
12W002
Arlington, VA 22203

USN Communications Southwest,
Inc.
10 S. Riverside Plaza, Suite 401
Chicago, IL 60606

Winstar Wireless of Missouri,
Inc.
7799 Leesburg Pike, Suite 401 S.
Tysons Corner, VA 22043

WorldCom Technologies
1705 S. Capital of Texas Hwy.,
Suite 100
Austin, TX 78746

Z-Tel Communications, Inc.
777 S. Harbour Island Blvd.
Suite 990
Tampa, FL 33602

LOCAL COMPANIES:

ALLTEL Missouri, Inc
1705 S. Lillian
PO Box 180
Bolivar, MO 65613

Alma Telephone Company
206 S. County Rd
Alma, MO 64001

Atlas Communications, Ltd.
482 Norristown Rd., Suite 200
Blue Bell, PA 19422

Birch Telecom of Missouri, Inc.
1004 Baltimore Ave., Suite 900
Kansas City, MO 64105

Bourbeuse Telephone Company
64 N. Clark
Sullivan, MO 63080

BPS Telephone Company
P.O. Box 669
Malden, MO 63863

Cass County Telephone Company
P.O. Box 647
Peculiar, MO 64078

Chariton Valley Telephone
Corporation
P.O. Box 407
Bucklin, MO 64631

Choctaw Telephone Company
P.O. Box 82
221 West Main
Halltown, MO 65664

Citizens Telephone Co. of
Higginsville, Missouri, Inc.
1905 Walnut
P.O. Box 737
Higginsville, MO 64037

Comcast Telecommunications, Inc.
d/b/a Comcast Long Distance
211 South Gulph Road
King of Prussia, PA 19406

Craw-Kan Telephone Cooperative
200 N. Ozark
P.O. box 100
Girard, KS 66743

Digital Broadcast Network Corp.
977 Charter Commons
Chesterfield, MO 63017

Ellington Telephone Company
P.O. Box 400
201 College
Ellington, MO 63638

Farber Telephone Company
Main & Linn
Farber, MO 63345

Fidelity Telephone Company
64 North Clark Ave.
Sullivan, MO 63080

Goodman Telephone Company, Inc
P.O. Box 592
815 Oneida
Seneca, MO 64865

Granby Telephone Company
Box 209
Granby, MO 64844

Grand River Mutual Telephone
Company
1001 Kentucky Ave
Princeton, MO 64673

Green Hills Telephone
Corporation
P.O. Box 227
Breckenridge, MO 64625

Group Long Distance, Inc.
1451 West Cypress Creek Road,
Suite 2001
Fort Lauderdale, FL 33309

GTE Arkansas Incorporated
601 Monroe Street, Suite 304
Jefferson City, MO 65101

GTE Midwest Incorporated
601 Monroe Street, Suite 304
Jefferson City, MO 65101

Holway Telephone Company
211 Ash St.
P.O. Box 112
Maitland, MO 64466

Iamo Telephone Company
P.O. Box 368
104 Crook St.
Coin, IA 51636

Kingdom Telephone Company
P.O. Box 97
211 S. Main
Auxvasse, MO 65231

KLM Telephone Company
P.O. Box 30
Rich Hill, MO 64779

Lathrop Telephone Company
P.O. Box 167
Princeton, MO 64673

Le-Ru Telephone Company, Inc.
P.O. Box 147
Stella, MO 64867

Mark Twain Rural Telephone
Company
P.O. Box 68
Hurdland, MO 63547

McDonald County Telephone
Company
P.O. Box 207
Pineville, MO 64856

McLeodUSA Telecommunications
Services
6400 C Street SW
Cedar Rapids, IA 52406

Mid-Missouri Telephone Company
P.O. Box 38
215 Roe St.
Pilot Grove, MO 65276

Missouri Comm South, Inc.
101 Randol Mill, Suite 108
Arlington, TX 76011

Missouri CSI Corp.
12835 E Arapahoe Rd., 5th Floor
Englewood, CO 80112

Mo-Kan Dial Co., Inc.
Box 429
112 S. Broadway
Louisburg, KS 66053

Modern Telecommunications Co.
718 South West St
Green City, MO 63545

New Florence Telephone Company
192 West Broadway
P.O. Box 526
Peculiar, MO 64078

New London Telephone Company
501 S. Main St.
P.O. Box 369
New London, MO 63459

Northeast Missouri Rural
Telephone Company
Route Three
718 West Street
Green City, MO 63545

Ominplex Communications Group
743 Sprint 40 Park, Suite 250
Chesterfield, MO 63005

Orchard Farm Telephone Co
5065 North Highway 94
St. Charles, MO 63301

Oregon Farmers Mutual Telephone
Company
118 East Nodaway
Box 227
Oregon, MO 64473

Peace Valley Telephone Company,
Inc.
P.O. Box 9
7101 State Hwy W
Peace Valley, MO 65788

Rock Port Telephone Company
107 Opp St.
P.O. Box 147
Rock Port, MO 64482

Seneca Telephone Company
P.O. Box 329
Seneca, MO 64865

Southwestern Bell Telephone
Company
General Counsel-Missouri
One Bell Center, Room 3520
St. Louis, MO 63101

Sprint
5454 West 110th St
Overland Park, KS 66211

Steelville Telephone Exchange,
Inc
P.O. Box 370
Steelville, MO 65565

Stoutland Telephone Company
Highway T
P.O. Box 97
Stoutland, MO 65567

TCG Kansas City, Inc.
233 S. Wacker Drive, Suite 2100
Chicago, IL 60606

TDS Engineering, L.L.C.
229 East Fourth Street
P.O. Box 297
Carthage, MO 64836

Teligent, Inc.
8065 Leesburg Pike, Suite 400
Vienna, VA 22182

**Missouri Companies With Pending Applications for Authority
to Provide Competitive Local Exchange Telecommunications
in Missouri as of December 2, 1998**

ACI Corp.
7337 S. Revere Parkway
Englewood, CO 80112

Advanced Communications Group,
Inc.
390 Woodsmill Rd. South
Suite 150
St. Louis, MO 63017

BarTel Communications, Inc.
14 Cliff-side
Glendale, MO 63122

Camarato Distributing, Inc.
900 Camarato Drive
Herrin, IL 62948

Choctaw Communications, L.C.
d/b/a Smoke Signal Communica-
tions
8400 S. Gessner
Houston, TX 77074

DIECA Communications, Inc.
c/o Covad Communications Company
2330 Central Expressway
Santa Clara, CA 95050

Gabriel Communications of
Missouri, Inc.
16650 Chesterfield Grove Rd.
Suite 110
Chesterfield, MO 63005

GTE Communications Corporation
5221 N. O'Connor Blvd.
13th Floor
Irving, TX 75039

JATO Communications Corp.
5660 Greenwood Plaza Blvd.
Suite 220
Englewood, CO 80111

Level 3 Communications, LLC
1450 Infinite Drive
Louisville, CO 80027

NET-tel Corporation
d/b/a NET-tel Communications
Corporation
3050 K Street, N.W.
Suite 250
Washington, DC 20007

NEXTLINK MISSOURI, INC.
500 108th Ave. NE, Suite 2200
Bellevue, WA 98004

The Pager Company
5321 E. 9th St.
Kansas City, MO 64124

Simply Local Services, Inc.
11406 Gravois Road, Suite 100
St. Louis, MO 63126

Supra Telecommunications and
Information Systems, Inc.
2620 S.W. 27th Ave.
Miami, FL 33133

Transwire Missouri Operations,
LLC
8 West 19th Street
New York, NY 10011

United States Telecommunications
Inc. d/b/a Tel Com Plus
13902 N. Dale Mabry, Suite 212
Tampa, FL 33618

Universal Telephone
2611 E. Harry
Wichita, KS 67211