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May 25, 2000

**Via FedEx**

The Honorable Dale Hardy Roberts  
Chief Regulatory Law Judge  
Missouri Public Service Commission  
301 West High Street, Suite 530  
Jefferson City, MO 65101

FILED<sup>2</sup>

MAY 30 2000

**Re: ExOp of Missouri**

Missouri Public  
Service Commission

Dear Judge Roberts:

Please find enclosed one original and 14 copies of a Motion to Intervene Out of Time filed on behalf of ExOp of Missouri in Case No. TO-2000-374. This motion is filed pursuant to 4 CSR 240-2.075. As you can see from the Certificate of Service, copies of this pleading have been served on the Office of the Public Counsel and the parties to this case.

Please date stamp and return the enclosed copy of this cover letter in the return envelope we have provided to signify your receipt of this pleading. If you have any questions, please call me.

Sincerely,

  
Wendy E. DeBoer

Enclosure

WA 546656.1

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

MAY 30 2000

Missouri Public  
Service Commission

In the Matter of the Petition of the North )  
American Numbering Plan Administrator, on )  
Behalf of the Missouri Telecommunications )  
Industry, for Approval of NPA Relief Plan for )  
the 314 and 816 Area Codes )

Case No. TO-2000-374

**MOTION TO INTERVENE OUT OF TIME**

COMES NOW ExOp of Missouri ("ExOp") and hereby submits its Motion to Intervene Out of Time in Case No. TO-2000-374 pursuant to 4 CSR 240-2.075.

1. ExOp is a Missouri corporation with principal offices located at 303 North Jefferson, Kearney, Missouri 64060, and holds certificates to provide basic local, local exchange, and interexchange telecommunications services in the State of Missouri.

2. At the time of the deadline for filing to intervene, ExOp believed its interests would be properly represented by the other parties to the case. In light of subsequent conversations with other parties and the Commission's Staff, ExOp believes the case will address issues more directly applicable to its service offerings and to the industry as a whole and desires to intervene out of time. Because ExOp provides facilities based local exchange and interexchange telecommunications services in the 816 area code, its interests are different from the interests of the general public, and no party currently participating in this case can adequately protect ExOp's interests.

3. Applications to intervene filed after the official intervention date may be granted by the Commission upon a showing of good cause, pursuant to 4 CSR 240.075(4)(D). ExOp's intervention would both allow ExOp to protect its own interests and allow for a fuller interchange between the providers in the State of Missouri on the issues to be addressed in this case. For the

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reasons set forth in this Motion, ExOp believes it has shown good cause to be permitted to intervene at this time.

WHEREFORE, ExOp of Missouri, Inc. respectfully requests the Commission to grant ExOp's Motion to Intervene Out of Time.

Respectfully Submitted,

SPENCER FANE BRITT & BROWNE LLP



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ATTORNEYS FOR EXOP OF MISSOURI, INC.

### CERTIFICATE OF SERVICE

I, Wendy E. DeBoer, hereby certify that a true and correct copy of the above and foregoing Motion to Intervene Out of Time of ExOp of Missouri, Inc. in Case No. TO-2000-374 was placed in the United States Mail, postage prepaid on this 24 day of May, 2000, to the following:

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