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September 20, 2001

VIA FEDERAL EXPRESS

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102

Re: TO-2001-467

Dear Mr. Roberts:

Please find enclosed for filing an original and eight (8) copies of **Fidelity Communication Services III, Inc.'s Motion for Leave to be Excused from Participation in Hearing and Waiver of Cross Examination**. If there are any questions, please contact me at (314) 241-9090.

Very truly yours,

GREENSFELDER, HEMKER & GALE, P.C.

By

Sheldon K. Stock
Sheldon K. Stock

SKS/blk

cc: Counsel of Record

FILED³
SEP 21 2001
Missouri Public
Service Commission

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

In the Matter of the Investigation of the)
State of Competition in the Exchanges)
of Southwestern Bell Telephone)
Company.)

Case No. TO-2001-467

FILED³
SEP 21 2001
Missouri Public
Service Commission

**MOTION FOR LEAVE TO BE EXCUSED FROM PARTICIPATION IN
HEARING AND WAIVER OF CROSS EXAMINATION**

COMES NOW Fidelity Communication Services III, Inc. ("FCS III"), by its undersigned counsel, and respectfully requests that the Missouri Public Service Commission ("Commission") grant it leave to be excused from participation in the upcoming hearing in this case. In support of this Motion, FCS III respectfully states as follows:

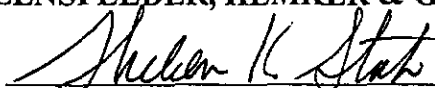
1. On May 10, 2001, the Commission granted FCS III's application to intervene in this case.
2. The hearing is scheduled for September 24-28, 2001.
3. Counsel for FCS III has a conflict the week that the hearing is scheduled. Further, FCS III has not sponsored any testimony in this case nor does it take, at this time, any position on the issues raised in this case. FCS III has had minimal participation in this case and its intervention was more to monitor the case than to actively participate. FCS III's failure to attend the hearing will not prejudice any party to this proceeding in any way.
4. FCS III requests leave to be excused from participation in the scheduled hearing, and, if so granted, hereby waives its right to cross-examination. FCS III reserves its right to further participate in this proceeding based on the evidence adduced at the hearing.

WHEREFORE, Fidelity Communication Services III, Inc. respectfully requests that it be excused from the hearing in this case.

Respectfully submitted,

GREENSFELDER, HEMKER & GALE, P.C.

By:



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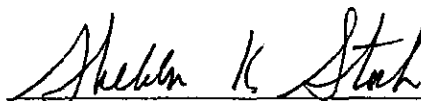
(314) 241-8624 (facsimile)

Attorneys for

Fidelity Communication Services III, Inc.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 20th day of September, 2001.



Sheldon K. Stock

Service List for
Case No. TO-2001-467

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BarTel Communications, Inc.
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Birch Telecom of Missouri, Inc.
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Brooks Fiber Communications of Missouri, Inc.
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4300 Six Forks Road, Suite 500
Raleigh, North Carolina 27609

Buy-Tel Communications, Inc.
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Colleyville, TX 76034

Camarato Distributing, Inc.
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Central Missouri Telecommunications, Inc.
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Osage Beach, Missouri 65065

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Rochester, NY 14646

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Cape Girardeau, Missouri 63702

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Louisville, CO 80027

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Alvord, TX 76225

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North Little Rock, AR 72113-0860

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Colorado Springs, CO 80903

Omniplex Communications Group, LLC
(Formerly USA eXchange, LLC)
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St. Charles, MO 63304

The Pager Company
3030 East Truman Road
Kansas City, MO 64127

Payroll Advance
808 South Baker
Mountain Home, AR 72643

Phones for All
(Teléfonos Para Todos)
Preferred Carrier Services, Inc.
14681 Midway Road, Suite 105
Addison, Texas 75001

Mpower Communications Central Corp.
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Pittsford, NY 14534

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Overland Park, KS 66214

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Qwest Communications Corporation
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Arlington, VA 22203

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Villa Rica, GA 30180

Simply Local Services, Inc.
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Fenton, MO 63026

Smoke Signal Communications
(Choctaw Communications, L.C.)
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Shreveport, LA 71129

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Oklahoma City, OK 73127

TCG St. Louis
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Staten Island, NY 10311

Teligent, Inc.
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Vienna, VA 22182

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Overland Park, KS 66211

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Teleport Communications Group
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(United States Telecommunications, Inc.)
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