

**BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of the Application of)	
Missouri RSA No. 5 Partnership)	
for Designation as a Telecommunications)	
Company Carrier Eligible for Federal Universal)	Case No. TO-2006-0172
Service Support Pursuant to § 254 of the)	
Telecommunications Act of 1996.)	

MOTION TO AMEND REPORT AND ORDER

COMES NOW Missouri RSA No. 5 Partnership (“MO 5”) and hereby requests that the Missouri Public Service Commission (“Commission”) amend and clarify the Report and Order (“Report and Order”) issued in the above captioned matter. In support of this instant Motion, MO 5 states as follows;

1. Pursuant to Section 214(e)(5) of the Communications Act of 1934, *as amended*, (“Act”) and Federal Communications Commission (“FCC”) Rules 54.201(b) and 54.207, MO5 hereby submits this Motion to Amend the Report and Order to specifically redefine the study areas of four rural telephone companies in Missouri.

2. Until the Commission amends the Report and Order and clarifies the service area for which it designated MO 5 as an ETC, as required by the Act and FCC Rules 54.201(b) and 54.207, the FCC can not concur with the Commission’s redefinition, and therefore, Universal Service Administrative Company (“USAC”) will not disburse to MO5 its much-needed Universal Service monies in order to provide quality, affordable service throughout its designated service area.

3. In its October 18, 2005 Application for ETC Designation, MO 5 specified the service areas which it sought to include. In Appendix C to its Application, MO 5 provided a detailed map of the service areas to be included.

4. The Report and Order issued by the Commission did not explicitly describe the service areas for which it designated MO 5 as an ETC. The subject Report and Order was one of the first to address ETC designation for a wireless carrier and it is thus understandable that the Order failed to specify the service area in a manner that would satisfy USAC.

5. MO 5 requests that the Commission amend its Report and an Order to reflect that it:

" has designated MO5 as an eligible telecommunications carrier (ETC) in the non-rural study areas of Southwestern Bell Telephone, LP d/b/a AT&T Missouri and Century Telephone of Missouri, and the complete rural study area of Chariton Valley Telephone Company. Further, the Commission designated MO5 an ETC in the partial study areas of Alltel Missouri, Inc. (Alltel Missouri), Grand River Mutual Telephone Corporation (Grand River), Mark Twain Rural Telephone Company (Mark Twain), and Spectra Communications Group, LLC d/b/a CenturyTel (Spectra). For these partial rural study areas, pursuant to Section 214(e)(5) of the Communications Act of 1934, *as amended*, and Federal Communications Commission (FCC) Rule 54.207, the Commission designated MO5 as an ETC in the complete wire centers listed on Attachment A.

The Commission finds that: (1) MO5's redefinition will not result in cream skimming; (2) the rural carriers whose service areas MO5 seeks to redefine will not be harmed by the redefinition of their study areas to conform to MO5's licensed service area; and (3) the rural carriers whose service areas MO5 seeks to redefine will not be required to recalculate costs as a result of a service area redefinition; and (4) no other administrative burdens have been placed on the rural carriers whose service areas MO5 seeks to redefine as a result of a service area redefinition. Accordingly, the Commission approves MO5's request to redefine the service areas of Alltel Missouri, Grand River, Mark Twain, and Spectra."

Adding the foregoing language to the Report and Order should satisfy the FCC's redefinition requirements and allow USAC to disburse to MO5 USF support as the Commission intended.

For the foregoing reasons, the Commission should: (1) amend its September 21, 2006 Report and Order as requested herein and (2) issue such other orders as are deemed necessary or convenient in this matter.

Respectfully submitted,

LATHROP & GAGE L.C.

Dated: January 25, 2007

/s/ Paul S. DeFord

Paul S. DeFord Mo. #29509

David G. Brown Mo. #42559

Suite 2800

2345 Grand Boulevard

Kansas City, MO 64108-2612

Telephone: (816) 292-2000

Facsimile: (816) 292-2001

E-mail: pdeford@lathropgage.com

Attorneys for

Missouri RSA No. 5 Partnership

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Motion to Amend has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 25th day of January, 2007, to:

General Counsel Office
Missouri Public Service
Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Mills Lewis
Office Of Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Haas William
Missouri Public Service
Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
William.Haas@psc.mo.gov

Gryzmala Robert
AT&T Missouri
One AT&T Center, Room 3518
St. Louis, MO 63101
robert.gryzmala@att.com

Bub Leo
AT&T Missouri
One Bell Center, Room 3518
St. Louis, MO 63101
leo.bub@att.com

MacDonald Mimi
AT&T Missouri
One Bell Center
Suite 3510
St. Louis, MO 63101
mimi.macdonald@att.com

Lane Paul
AT&T Missouri
One Bell Center, Room 4300
St. Louis, MO 63101
paul.lane@att.com

Stewart B Charles
CenturyTel of Missouri LLC
4603 John Garry Drive, Suite 11
Columbia, MO 65203
Stewart499@aol.com

McCartney T Brian
Mark Twain Rural Telephone
Company
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
bmccartney@brydonlaw.com

Morgan B Sondra
Mark Twain Rural Telephone
Company
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
LRackers@brydonlaw.com

England R W.
Mark Twain Rural Telephone
Company
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
dadams@brydonlaw.com

McCartney T Brian
Northeast Missouri Rural
Telephone Company
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
bmccartney@brydonlaw.com

Morgan B Sondra
Northeast Missouri Rural
Telephone Company
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
LRackers@brydonlaw.com

England R W.
Northeast Missouri Rural
Telephone Company
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
dadams@brydonlaw.com

Stewart B Charles
Spectra Communications Group,
LLC d/b/a CenturyTel
4603 John Garry Drive, Suite 11
Columbia, MO 65203
Stewart499@aol.com

/s/ Paul S. DeFord

Paul S. DeFord

ATTACHMENT A

Rural Study Areas & Wire Centers Included in MO5's Redefinition*

Alltel Missouri

Laclede
Mendon
Rothville
Sumner

Grand River

Browning
Linneus
Meadville
Purdin

Mark Twain

Bethel
Leonard

Spectra

Brunswick
Clarence
Dalton
Elmer
Hunnewell
Keytesvl
La Plata
Macon
Shelbina
Shelbyvl

*This exhibit was prepared for redefinition purposes only. This exhibit does not contain the rural and non-rural study areas and wire centers in which MO5 was designated as an ETC that are subject to its redefinition.