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September 22, 1999

VIA HAND DELIVERY

FILED²

SEP 22 1999

Missouri Public
Service Commission

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

Re: In the Matter of the Investigation into Signaling Protocols, Call
Records, Trunking Arrangements, and Traffic Measurement
Case No. TO-99-593

Dear Secretary Roberts:

Enclosed for filing in the above-referenced case, please find:

**Original and fourteen (14) copies of AT&T Communications of
the Southwest, Inc., TCG St. Louis, Inc., and TCG
Kansas City, Inc.'s Application to Intervene Out of Time**

If you have any questions concerning this filing, please contact the undersigned.

Thank you in advance for your attention to this matter.

Sincerely,

LATHROP & GAGE L.C.

By:

Kurt U. Schaefer

KUS/jf
Enclosures
cc: To all parties of record

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

SEP 22 1999

In the Matter of the Investigation into Signaling)
Protocols, Call Records, Trunking)
Arrangements, and Traffic Measurement)

Case No. TO-99-593 Missouri Public
Service Commission

APPLICATION TO INTERVENE OUT OF TIME

COMES NOW AT&T Communications of the Southwest, Inc., TCG St. Louis, Inc., TCG Kansas City, Inc. (collectively "AT&T") and for their Application to Intervene Out of Time pursuant to 4 CSR 240-2.075 state as follows:

1. AT&T is a competitive interexchange telecommunications company duly incorporated and existing under and by virtue of the laws of the State of Delaware, authorized to do business in the State of Missouri as a foreign corporation. AT&T's principal Missouri offices are located at 1100 Walnut, Kansas City, Missouri 64106. AT&T is an authorized provider of intrastate interexchange telecommunications services in Missouri under authority granted and tariffs approved by the Commission, as well as an authorized provider of interstate interexchange telecommunications services under a certificate granted and tariffs approved by the Federal Communications Commission. AT&T has been granted authority to provide local exchange service and basic local exchange service in portions of Missouri.

2. TCG St. Louis, Inc. is a competitive interexchange telecommunications company that currently holds Certificate of Service Authority to provide intrastate interexchange and local exchange telecommunications service in the State of Missouri. TCG's principal Missouri offices are located at 1 City Place Drive, St. Louis, Missouri 63141. TCG holds Certificate of Service

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Authority to provide basic local exchange service in the 314 area of SWBT's service territory (Mo PSC Case No. TA-96-345).

3. TCG Kansas City, Inc. is a competitive interexchange telecommunications company that currently holds Certificate of Service Authority to provide intrastate interexchange and local exchange telecommunications service in the State of Missouri. TCG's principal Missouri offices are located at 1111 Main Street, Suite 300, Kansas City, Missouri 64105. TCG holds Certificate of Service Authority to provide basic local exchange service in SWBT's service territory (Mo PSC Case No. TA-98-253).

4. In Case No. TO-99-254, the Primary Toll Carriers and the Secondary Carriers raised a number of issues concerning signaling protocols, call records, trunking arrangements and traffic measurement. *See this Commission's Report and Order, dated June 10, 1999, in Case No. TO-99-254.* The Commission deferred addressing the foregoing issues on the merits and instead chose to open Case No. TO-99-593 (the above-captioned cause) to thoroughly investigate those issues. *See the Commission's Report and Order, dated June 10, 1999, in Case No. TO-99-254, at p. 12, ¶7.*

5. On June 15, 1999, this Commission issued its Order Directing Notice in the above-captioned case which required all parties wishing to intervene in the case to do so by July 6, 1999.

6. Based upon its knowledge and assessment of the issues developed in Case No. TO-99-254, AT&T chose not to initially intervene in the instant case. At that time, it appeared that the focus of this docket would be on the unique details surrounding the way in which incumbent LECs interconnected their networks and exchanged information among themselves. Because AT&T does not interconnect or exchange information in the same fashion as incumbent LECs, it did not appear likely that the decision in this case would materially affect AT&T's interests.

7. Based upon discussion with parties to this case, it now appears that the issues to be presented for Commission decision in this case will include proposals that will affect the entire industry. In light of these circumstances, AT&T now believes that it must intervene in this case to protect its interests.

8. As a provider of the interexchange and local exchange telecommunication services, AT&T is interested in any industry-wide affecting issue presented for Commission decision. AT&T's interests are different from that of the public generally and no other party to this case can adequately project those interests. Further, AT&T's intervention in this proceeding is in the public interest because of its interest in enhancing competition and because of its expertise in the telecommunications industry.

9. There is no party currently participating in this case that is similarly situated to AT&T or that can adequately protect AT&T's interests. Further, allowing AT&T to intervene will not delay or prejudice the case or any of the parties. All parties have been ordered to file their proposed procedural schedules no later than October 21, 1999. *See the Commission's Order Granting and Denying Intervention and Directing Filing of Procedural Schedule, dated August 12, 1999, at p. 2, ¶3.* AT&T will accept any procedural schedules proposed by the parties. Furthermore, AT&T will accept the issues as presented by the parties. The extent to which AT&T participates will in large part be dependent on how the issues actually presented are finally framed.

10. Applications to intervene filed after the intervention date set by the Commission may be granted upon a showing of good cause. 4 CSR 240-2.075(4)(D). For all of the foregoing reasons, AT&T has established good cause to be allowed to intervene out of time.

WHEREFORE, AT&T respectfully requests the Commission enter its Order granting
AT&T's Application to Intervene Out of Time.

Respectfully submitted,

LATHROP & GAGE L.C.



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was served upon the following persons by depositing a true copy thereof in the United States mail, postage prepaid, this 22nd day of September, 1999.

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