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March 28, 2001

FILED³

MAR 28 2001

Missouri Public
Service Commission

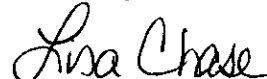
Mr. Dale Hardy Roberts
Secretary/Chief Administrative Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Re: TO-2001-467

Dear Mr. Roberts:

Enclosed please find an original and eight (8) copies of Missouri Independent Telephone Company Group's Application to Intervene. A copy of this letter and a copy of the enclosed Application have been served upon all counsel of record. Thank you for seeing this filed.

Sincerely,



Lisa Cole Chase

CSJ:tr

Enc.

cc: MITG Managers
William K. Haas, Deputy General Counsel
Mike Dandino, Public Counsel
Paul G. Lane
Managers of 70 Companies Listed in Appendix A

FILED³
MAR 28 2001

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

Missouri Public
Service Commission

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

Case No. TO-2001-467

APPLICATION TO INTERVENE

COMES NOW The Missouri Independent Telephone Company Group (MITG) of Local Exchange Companies, Alma, Chariton Valley, Choctaw, Mid-Missouri, Modern, MoKan Dial, and Northeast Missouri Rural Telephone Companies, and hereby moves to intervene in this proceeding. In support of this Application, the MITG states as follows:

1. The MITG consists of seven rural, small, local exchange companies, who are also classified as Rural Telephone Companies under the Telecommunications Act of 1996. MITG members provide local, basic local, and exchange access services. The MITG seeks to intervene to monitor this proceeding because the principles adopted could equally apply to the MITG companies at a future point in time.

2. The MITG is subject to the regulatory supervision of the Missouri Public Service Commission.

3. Copies of all filings in this docket should be directed to the MITG by serving:

Craig S. Johnson
Andereck Evans Milne Peace & Johnson, LLC
P.O. Box 1438
Jefferson City, MO 65201
(573) 634-3422
(573) 634-7822 fax

4. At the request of the Staff of the Missouri Public Service Commission, this case was established by the Commission for the purpose of investigating 'the state of competition in each exchange where an alternative local exchange telecommunication company (ALEC) has been certified to provide local exchange telecommunications service' in accordance with Subsection 392.245.5, RSMo 2000. This is an issue of first

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impression before the Commission. The principles adopted in this proceeding could potentially affect the MITG companies at a future point in time.

5. The MITG is interested in these issues, as one or more of these companies may become 'price cap regulated' under Section 392.245 RSMo 2000. Under Section 392.245.2, '[a] small incumbent local exchange telecommunications company may elect to be regulated under this section upon providing written notice to the commission if an alternative local exchange telecommunications company has been certified to provide basic local telecommunications service and is providing such service in any part of the small incumbent company's service area, and the incumbent company shall remain subject to regulation under this section after such election.'

6. Pursuant to Section 392.245.5 RSMo, if during the five years after which an ILEC becomes price cap regulated, the Commission determines that effective competition does not exist in an exchange, the provisions of paragraph (c) of subdivision (2) of subsection 4 of section 392.220 and the maximum allowable prices established by the provisions of subsections 4 and 11 of this section shall continue to apply.

7. As potential price cap regulated companies, the MITG is interested in the determination of when effective competition does not exist, as that determination potentially could effect or establish precedent applicable to the MITG. For this reason the MITG's interest in this proceeding is different from that of the general public. The MITG is interested in monitoring the issues which arise or which may arise between SWB, Staff, and ALECs or CLECs certificated in SWB exchanges.

WHEREFORE, on the basis of the foregoing, the MITG respectfully requests that this application to intervene and participate as a party be granted.

ANDERECK, EVANS, MILNE
PEACE & JOHNSON

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ATTORNEYS FOR MITG

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was mailed, U. S. Mail, postage pre-paid, this 28th day of March, 2001, to each of the 70 companies listed in Appendix A of the Commission's Order Establishing Case, Directing Notice, Joining Parties, and Granting Protective Order in this matter, and to:

Paul G. Lane, General Attorney-Missouri
Southwestern Bell Telephone Company
One Bell Center, 35th Floor
St. Louis, Missouri 63101

William K. Haas, Deputy General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

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