

Jeanne A. Fischer
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Southwestern Bell Wireless
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February 29, 2000

FILED²

MAR 01 2000

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
301 West High Street, Suite 530
Jefferson City, MO 65101

Missouri Public
Service Commission

Re: In the Matter of Modern Telecommunications, Co., Northeast Missouri
Rural Telephone Co., Mid-Missouri Telephone Co., and MoKan Dial, Inc.
Case No. TC-2000-375

Dear Mr. Roberts:

Enclosed for filing are an original and fourteen (14) copies of an Application to Intervene of Southwestern Bell Wireless Inc.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne A. Fischer".

Jeanne A. Fischer

Enclosure

cc: Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED²

MAR 01 2000

Modern Telecommunications, Co.,
Northeast Missouri Rural Telephone Co.,
Mid-Missouri Telephone Co., and
MoKan Dial, Inc.

Complainants

v.

Southwestern Bell Telephone Company,
Respondent.

Missouri Public
Service Commission

Case No. TC-2000-375

**APPLICATION TO INTERVENE OF
SOUTHWESTERN BELL WIRELESS INC.**

Southwestern Bell Wireless Inc. ("SWBW"), pursuant to §386.420 RSMo (1994 Revised) and 4 CSR 240-2.110, respectfully seeks an Order granting intervention in this proceeding. In support of its application, SWBW states:

1. SWBW is a Delaware corporation with its principal place of business at 17330 Preston Road, 100A, Dallas, Texas 75252. SWBW is a telecommunications company and is providing wireless telecommunications service within the State of Missouri.

2. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Jeanne A. Fischer
Southwestern Bell Wireless Inc.
13075 Manchester Road, First Floor
St. Louis, Missouri 63131

3. The Complainants contend that Southwestern Bell Telephone Co. (SWBT) "has violated a Commission Order by not complying with its obligation to pay for wireless originated calls terminating to Modern, Northeast, Mid-Missouri, and MoKan over the facilities of SWB." The Complainants further allege that they have billed wireless carriers for traffic terminated by SWBT to Complainants, and that the wireless carriers

have refused to pay the bills and do not have compensation agreements with Complainants. SWBW is one of the wireless carriers named in the Complaint.

4. SWBW has an interest in this matter different than that of the general public and has a direct interest in the Commission's decision. Complainants seek compensation for wireless traffic originated on SWBW's network. If the Commission orders SWBT to compensate Complainants, SWBT may seek indemnification from SWBW.

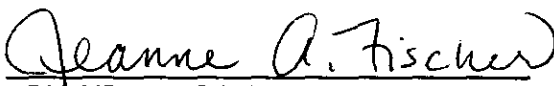
5. On January 27, 2000, the Commission issued a Report and Order in Case No. TT-99-428, et al. rejecting access tariff revisions filed by the Complainants. The Commission held that access charges do not apply to local wireless traffic, which is defined as intraMTA traffic. In this Complaint, however, Complainants again seek to apply access rates to intraMTA traffic, inasmuch as their bills to wireless carriers, and the compensation Complainants seek from SWBT, are based on non-negotiated access rates. SWBW agrees with SWBT that the complaint should be dismissed and if allowed to intervene, SWBW will oppose the complaint.

6. Granting this intervention will be in the public interest because SWBW will bring to this proceeding its expertise and experience as a wireless telecommunications provider.

WHEREFORE, SWBW respectfully requests the Commission to grant this Application to Intervene.

Respectfully submitted,

SOUTHWESTERN BELL WIRELESS INC.

BY: 
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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by first-class, postage prepaid, U.S. Mail on February 29, 2000.

Jeanne A. Fischer
Jeanne A. Fischer

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