GREENSFELDER, HEMKER & GALE, P.C.

ATTORNEYS AT LAW

October 11, 1999

The Honorable Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission 301 West High Street, Room 530 Jefferson, City, MO 65102 2000 EQUITABLE BUILDING 10 SOUTH BROADWAY ST. LOUIS, MISSOURI 63102-1774

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FILED

OCT 1 3 1999

Missouri Public Service Commission

Re: Case No. TA-2000-229

Dear Judge Roberts,

Enclosed for filing with the Missouri Public Service Commission in the above-referenced case is an original and 14 copies of Fidelity Communication Services II, Inc.'s Objection To Application To Intervene.

Also enclosed is an extra copy of the Objection To Application To Intervene. Please file stamp it and return it to me in the enclosed self-addressed, stamped envelope.

In the event you need any additional information or have any questions concerning any of the information set forth in this Objection, please contact the undersigned. Thank you for your assistance.

Yours very truly,

GREENSFELDER, HEMKER & GALE, P.C.

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Sheldon K. Stock

SKS/kka Enclosures 348924.1

cc: Office of Public Counsel Mr. John T. Davis Mr. John Colbert Mr. Richard Taylor

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

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FILED OCT 1 3 1999 Missouri Public Service Commission

In the Matter of the Application of Fidelity Communication Services II, Inc. for a certificate of service authority to provide Basic Local Telecommunications Service in portions of the State of Missouri) and to classify said services and the Company as competitive.

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Case No. TA-2000-229

FIDELITY COMMUNICATION SERVICES II, INC.'S

OJECTION TO APPLICATION TO INTERVENE

On behalf of Fidelity Communication Services II, Inc. ("Fidelity Communication"), Fidelity Communication moves to dismiss Southwestern Bell Telephone Company's ("Southwestern Bell") Application to Intervene in the above-referenced matter for the following reasons:

1. Fidelity Communication has filed an application for a certificate of service

authority to provide basic local telecommunications service as a competitive company.

2. Southwestern Bell seeks to intervene in the proceeding because of its purported concern about the impact of the level of access charges to be assessed by Fidelity Communication on calls that Southwestern Bell terminates in the areas proposed to be serviced by Fidelity Communication.

The concerns expressed by Southwestern Bell are matters to be dealt with in a 3. tariff proceeding and not in the initial application for a certificate of authority. Southwestern Bell's attempt to intervene in this matter is premature and is not relevant to the issues at hand.

4. Permitting this intervention will not be in the public interest, and Southwestern Bell will have the opportunity to intervene in the tariff proceeding at such time as that application is filed.

Wherefore, Fidelity Communication respectfully requests the Commission to dismiss

Southwestern Bell's Application To Intervene.

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GREENSFELDER, HEMKER & GALE,

P.C. By: 🦼

Sheldon K. Stock MBE No.18581 10 South Broadway, Ste. 2000 St. Louis, Missouri 63102 (314) 241-9090 (314) 241-6965 (facsimile)

Attorney for Applicant

cc: Office of Public Counsel

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this 11th day of October, 1999 to:

Paul G. Lane, Esq.
Leo J. Bub, Esq.
Anthony K. Conroy, Esq.
Katherine C. Swaller, Esq.
Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, Missouri 63101

Office of the Public Counsel P.O. Box 7800 Jefferson City, Missouri 65102

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