

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Big River Telephone)	
LLC to Expand its Certificate of Basic Local Service)	
Authority to Include Provision of Basic Local Exchange)	<u>Case No. LA-2006-0347</u>
Telecommunications Service in the Exchanges of BPS)	
Telephone Company and to Continue to Classify)	
the Company and its Services as Competitive)	

APPLICATION TO INTERVENE

COMES NOW BPS Telephone Company ("BPS") pursuant to Commission Rule 4 CSR 240-2.075 and the Commission's *Order Establishing Intervention Deadline*, and states as follows:

1. BPS currently provides telecommunications services to members of the public located in those areas certificated to it by the Missouri Public Service Commission ("Commission"). BPS is a "telecommunications company" and "public utility" as those terms are defined by §386.020 RSMo 2000 and is therefore subject to the jurisdiction, regulation and control of the Commission as provided by law. BPS is also a "small incumbent local exchange carrier" as defined by §386.020(30) RSMo. and a "rural telephone company" as defined by 47 U.S.C §153.

2. Correspondence, communications, orders and decisions in this matter should be addressed to:

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3. BPS is the certificated incumbent local exchange carrier (ILEC) that presently provides service to local exchange customers in the same service area where Big River Telephone Company LLC ("Big River") seeks expanded certificate of service authority. BPS's interest in this case is therefore different from that of the general public and may be adversely affected by the outcome of this case.

4. At the outset, BPS would note that Section 392.451 of Missouri's Revised Statutes sets forth a strict set of requirements to be applied to applications for certificates of local exchange service authority in areas served by small ILECs. For example, applicants seeking to provide basic local telecommunications services in small LEC areas must demonstrate "throughout the service area of the incumbent local exchange telecommunications company, [they] offer all telecommunications services which the commission has determined are essential for purposes of qualifying for state universal service fund support . . ." Section 392.451.1(1) RSMo. At the very least, BPS opposes Big River's Application at this time because the Application does not comply with the specific statutory provisions. Big River's Application fails to adequately demonstrate how it will provide service throughout BPS's entire service area (i.e. the exchanges of Bernie, Parma, and Steele) or how it will be able to provide all of the services which the Commission has determined are necessary for state Universal Service Fund support. As more information becomes available in this case, there may be additional issues that cause BPS to object to Big River's Application.

5. BPS's expertise in and perspective on the provision of telecommunications services in the State will aid the Commission in resolving the issues

related to this proceeding. Consequently, BPS's intervention and participation will serve the public interest.

6. BPS requests a hearing pursuant to statute.

WHEREFORE, BPS respectfully requests that the Commission issue an Order granting this application to intervene in the above-captioned proceeding and granting such other orders as are reasonable in the circumstances.

Respectfully submitted,

/s/ Brian T. McCartney

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Attorneys for the Applicants

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed, served electronically, or hand-delivered, this 10th day of April, 2006, to:

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