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January 11, 2006

FILED⁴

JAN 11 2006

The Honorable Cully Dale
Secretary/Chief Regulatory Law Judge
Public Service Commission
Governor's Office Building
Madison & E. Capitol
Jefferson City, MO 65101

Missouri Public
Service Commission

RE: *Public Service Commission Staff, Complainant v. Cass County Telephone Company, Limited Partnership, Case No. TC-2005-0357*

Dear Judge Dale:

Enclosed for filing in the above-referenced case are the original and 8 copies of the State of Missouri's application to intervene. Thank you for your attention to this matter.

Sincerely,

JEREMIAH W. (JAY) NIXON
Attorney General

Ronald Molteni
Assistant Attorney General

Enclosures

cc: All Parties on the Service List

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED⁴

JAN 11 2006

Staff of the Public Service Commission)
)
Complainant,)
v.)
)
Cass County Telephone Company,)
Limited Partnership,)
)
Respondent,)

Missouri Public
Service Commission

Case No. TC-2005-0357

STATE OF MISSOURI'S
APPLICATION TO INTERVENE

The State of Missouri, through the Attorney General, seeks to intervene in order to protect its interest in having reliable telephone service at reasonable and lawful rates.

Those rates could be affected by the imposition of a penalty on the respondent, depending on how that penalty is paid. This application is filed beyond the deadline set by this Commission, and accordingly, the State of Missouri respectfully seeks leave of the Commission for its late intervention. In support of its application, the State of Missouri states:

1. Jeremiah W. (Jay) Nixon is the duly elected Attorney General of the State of Missouri and, as such, is authorized by law pursuant to § 27.060, RSMo 2000, to

appear and interplead on behalf of the State of Missouri in any proceeding in which the State's interest may be involved.

2. The State of Missouri and its constituent agencies, departments, and institutions (collectively referred to as the "State") are consumers of telephone services throughout the State generally, and the procurement of telephone services for the State of Missouri is made entirely of public funds, thereby necessitating state intervention.

3. Because the State is a consumer of telephone services, the State has a significant interest in this matter, in addition to and apart from that of the general public. The State's interest cannot be protected adequately by any other party to this proceeding.

4. The State, therefore, adequately satisfies the relevant standards for intervention within 4 CSR 240-2.075.

5. The granting of this application will not delay this proceeding nor unduly expand its scope, particularly since the Commission extended the State the courtesy of allowing it to participate at the hearing on the record regarding the proposed stipulation and agreement.

6. The purpose of the State's intervention was to express some glaring public policy concerns arising from the proposed stipulation and agreement filed by the PSC Staff and Casstel. Those policy concerns include, though not exhaustively, the following:

(a) the lack of language that guarantees ratepayers will not eventually finance the amount of the fine, directly or indirectly;

(b) the breadth of the enforcement waiver;

(c) the purported extinguishing of third party rights;

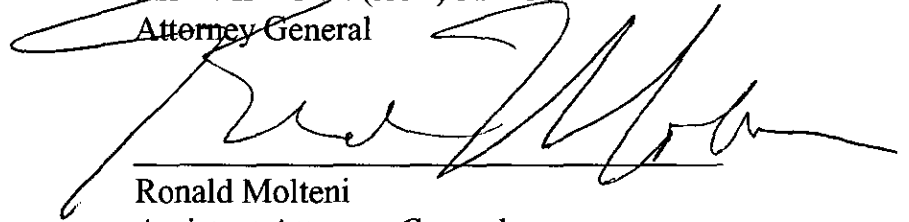
(d) the requested commitment that this Commission endorse the Universal Service Fund re-certification efforts by Casstel notwithstanding the fact that, at present, Casstel, through its business organizational structure, is still at least partly owned by persons who have pled guilty in federal court to using Casstel to defraud the USAC and NECA of millions of dollars.

7. If this application to intervene is granted, the State of Missouri requests that a copy of each document filed by any party to this proceeding be mailed or delivered to Ronald Molteni, Assistant Attorney General, Supreme Court Building, 207 West High Street, P.O. Box 899, Jefferson City, Missouri 65102.

WHEREFORE, the State of Missouri respectfully requests the Commission grant
this application to intervene.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON
Attorney General

A handwritten signature in black ink, appearing to read 'Ronald Molteni', is written over a horizontal line. The signature is fluid and cursive.

Ronald Molteni
Assistant Attorney General
Missouri Bar No. 40946

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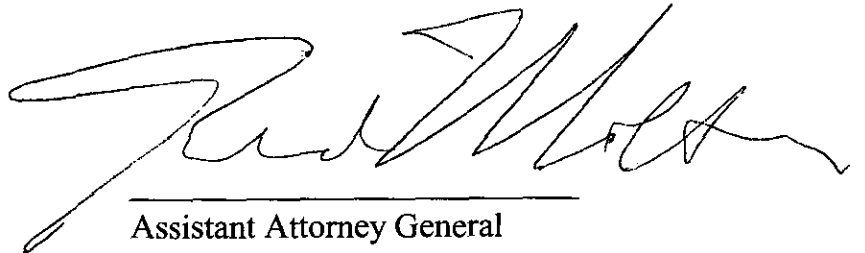
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, or hand-delivered, this 11th day of January, 2006, to the parties listed below and those on the attached list:

Michael Dandino
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