

Mark P. Johnson
816.460.2424
mjohnson@sonnenschein.com

4520 Main Street
Suite 1100
Kansas City, MO 64111
816.460.2400
816.531.7545 fax
www.sonnenschein.com

*Chicago
Kansas City
Los Angeles
New York
San Francisco
Short Hills, N.J.
St. Louis
Washington, D.C.
West Palm Beach*

March 8, 2005

Via Federal Express

Mr. Dale H. Roberts
Executive Secretary
MISSOURI PUBLIC SERVICE COMMISSION
200 Madison Street, Suite 100
Jefferson City, Missouri 65101

FILED

MAR 09 2005

**Missouri Public
Service Commission**

RE: Case No. TC-2005-0294

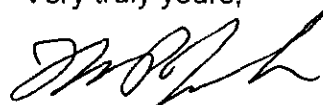
Dear Mr. Roberts:

Enclosed for filing with the Commission please find the original and eight copies of the Application to Intervene of Navigator Telecommunications, LLC in the above-referenced case. Please return one "filed" copy of the application to me in the enclosed return envelope.

By copy of this letter, I have served a copy of the application upon all counsel of record via U.S. mail.

If you have any questions, please give me a call.

Very truly yours,



Mark P. Johnson

MPJ/rgr
Enclosures

cc: All Parties of Records (w/encl.) (via U.S. mail)

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Big River Telephone Company, LLC, Birch)
Telecom of Missouri, Inc., Ionex)
Communications, Inc., NuVox Communications)
of Missouri, Inc., Socket Telecom, LLC, XO)
Communications Services, Inc., and)
Xspedius Communications, LLC,)

Complainants,)

v.)

Southwestern Bell Telephone, L.P.,)
d/b/a SBC Missouri,)

Respondent.)

FILED

MAR 09 2005

**Missouri Public
Service Commission**

Case No. TC-2005-0294

APPLICATION TO INTERVENE OF
NAVIGATOR TELECOMMUNICATIONS, LLC

Comes now Navigator Telecommunications, LLC ("Navigator"), by its undersigned attorneys, and pursuant to 4 CSR 240-2.075 applies to intervene in the captioned proceeding. In support of this application, Navigator states the following:

1. Navigator Telecommunications, LLC, is an Arkansas limited liability company, authorized to do business in the state of Missouri. Its principal place of business is located at 8525 Riverwood Park Drive, P. O. Box 13860, North Little Rock, Arkansas 72113, telephone number (501) 954-4000, facsimile number (501) 954-4002, and its email address is mike@navtel.com. Navigator is an authorized provider of basic local exchange, local exchange, and interexchange telecommunications services in Missouri, pursuant to certificates granted in Case Nos. TA-2000-232 and TA-2000-243. Navigator's interconnection agreement with Southwestern Bell Telephone Company was approved by the Commission by Order dated November 22, 1999, in Case No. TO-2000-291. In March, 2001, Navigator adopted the Missouri 271 interconnection agreement with SBC ("M2A" or "the Agreement"), which the

Commission had approved in Case No. TO-99-227. Navigator requests that the Commission take notice of the Agreement and all amendments thereto, which are contained in the Commission's files.

2. All communications, pleadings, correspondence, and orders in this case should be directed to the following:

Mark P. Johnson
James Kirkland
SONNENSCHN NATH & ROSENTHAL LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
816/460-2400
816/531-7545 (facsimile)
mjohnson@sonnenschein.com
jkirkland@sonnenschein.com

3. This application to intervene is timely, as it is filed prior to the Commission's issuance of an order giving notice of the case, in compliance with 4 CSR 240-2.075(1).

4. Navigator's interest in this proceeding is based on the fact that it is party to the M2A, which is the subject matter of the formal complaint. Navigator is concerned that certain Accessible Letters which SBC has recently issued, and which are attached as exhibits to the formal complaint, are intended to unilaterally amend the M2A in a manner inconsistent with the terms of the Agreement.

5. As required by 4 CSR 240-2.05(2), Navigator states that it supports the relief sought in the formal complaint.

6. The interest which Navigator has in the subject matter of this proceeding is different from the interest of the general public, and may be adversely affected by a final order in this proceeding.

7. A copy of Navigator's Certificate to do Business in the state of Missouri is attached hereto as Exhibit "A."

8. Navigator has no pending action or final unsatisfied judgment or decision against it from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of this application.

9. Navigator has no overdue annual report or assessment of fees.

Wherefore, Navigator Telecommunications, LLC, respectfully requests that it be allowed to intervene and participate in the captioned proceeding, to state its support of the formal complaint and the relief sought therein.

Respectfully submitted,



Mark P. Johnson #30740
James M. Kirkland #50794
Sonnenschein Nath & Rosenthal LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
816/460-2400
816/531-7545 (facsimile)
mjohnson@sonnenschein.com
jkirkland@sonnenschein.com

**ATTORNEYS FOR NAVIGATOR
TELECOMMUNICATIONS, INC.**

VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)


Comes now Mark P. Johnson, being of lawful age and duly sworn, and who swears and affirms as follows:

1. My name is Mark P. Johnson and I am an attorney for Navigator Telecommunications, LLC.

2. I am authorized by Navigator Telecommunications, LLC to execute and verify the foregoing on its behalf.


3. I have reviewed the foregoing, and its contents are true and correct to the best of my knowledge and belief.

Further affiant sayeth not.



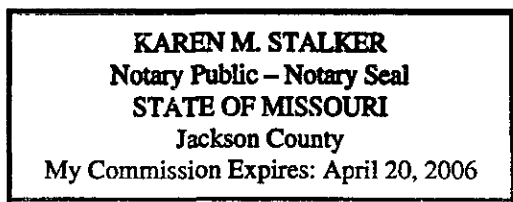
Mark P. Johnson

Sworn to and subscribed before me on this 8th day of March, 2005.



Notary Public

My commission expires:



CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 8th day of March, 2005, a copy of the above and foregoing was served by First-Class United States mail, postage prepaid, to:

Office of the General Counsel
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Office of the Public Counsel
P. O. Box 2230
Jefferson City, MO 65102

Paul Lane
Legal Department
Southwestern Bell Telephone Co., L.P.
d/b/a SBC Missouri
One Bell Center, Room 3520
St. Louis, MO 63101

Carl J. Lumley
Leland B. Curtis
Curtis, Heinz, Garrett & O'Keefe, P.C.
130 S. Bemiston, Suite 200
St. Louis, MO 63105
ATTORNEYS FOR CLEC COALITION

Bill Magness
Casey & Gentz, L.L.P.
919 Congress Avenue, Suite 1060
Austin, TX 78701
ATTORNEYS FOR CLEC COALITION



Mark P. Johnson



Robin Carnahan
Secretary of State

**CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING**

ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records
my office and in my care and custody reveal that

NAVIGATOR TELECOMMUNICATIONS, LLC

ing in Missouri the name

**NAVIGATOR TELECOMMUNICATIONS, LLC
FL0016117**

ARKANSAS entity was created under the laws of this State on the 17th day of November,
97, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my
and and imprinted the GREAT SEAL of the
ate of Missouri, on this, the 8th day of March,
005

Robin Carnahan

Secretary of State

