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SUITE 2800 2345 GRAND BOULEVARD KANSAS CITY, MISSOURI 64108-2612 (816) 292-2000, FAX (816) 292-2001

April 11, 2005

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Judge Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102

FILED APR 1 3 2005

## Vice Commission

#### Re: Missouri RSA No. 7 Limited Partnership d/b/a Mid-Missouri Cellular Case No. TO-2005-0325

Dear Secretary Roberts:

Attached for filing herewith please find eight copies of HIGHLY CONFIDENTIAL Appendices F, G, L. and N and PUBLIC Appendices I and J to the Direct Testimony of Kevin Dawson. These documents were not accepted by EFIS.

Please do not hesitate to contact us with any questions or concerns.

Very truly yours,

LATHROP & GAGE L.C.

Paul Ne Paul S. DeFord by I

By:

PSD/dl Enclosures

**Change Your Expectations**.

KANSAS CITY . OVERLAND PARK . ST. LOUIS . JEFFERSON CITY . SPRINGFIELD . BOULDER . WASHINGTON D.C.

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**<u>Representative Community Leader Testimonials</u>** 

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#### Johnson County Commission

William Brenner Presiding Commissioner Scott Sader Commissioner, Eastern District Destry Hough Commissioner, Western District Gilbert Powers County Clerk

Johnson County Courthouse, 800 N Holden, Warrensburg, MO 64098 (650) 747-6161 · Fax 747-9332 countyclerk@lococourthouse.com www.jococourthouse.com

January 13, 2005

To the Missouri Public Service Commission:

As Johnson County Commissioners, we want to express our belief that it is in the public's best interest to grant Mid-Missouri Cellular (MMC) Eligible Telecommunications Carrier status. It follows that MMC should also receive full access to the Universal Service Fund (USF).

Doing so will allow MMC to implement enhanced 911 service to customers in Johnson County and to construct additional cellular towers for better, more consistent coverage.

Emergency 911 location specific technology is imperative in emergency situations on rural country roads. It is very much in the public's interest for MMC to be able to provide such services in that situation. Adding more cellular towers would also mean better overall coverage to ensure that customars are not stranded in any "dead" areas. Finally, with access to the USF, MMC will be able to provide more competitive rates for wireless phone services to all potential customers.

We heartily recommend that you reconsider your earlier decision and grant Mid-Missouri Cellular Eligible Telecommunications Cerrier status. Thank you.

Sincerely,

William Brenner, Presiding Commissioner

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Appendix I

# County of HOWARD State of Missouri

Howard County Courthouse Fayette, MO 65248 (660) 248-2193 or 248-2284

LOWEL EATON Presiding Commissioner RYCHARD CONROW Bastem District Commissioner HOWARD BLACK Wastern District Commissioner

January 19, 2005

MISSOURI PUBLIC SERVICE COMMISSION GOVERNOR OFFICE BUILDING 200 MADISON STREET POST OFFICE BOX 360 JEFFERSON CITY, MISSOURI 65102

Members of the Commission:

The purpose of our letter is to strongly recommend Mid-Missouri Cellular (MMC), be granted access to a federally mandated, industry-generated fund termed the Universal Service Fund (USF).

Mid-Missouri Cellular has a blockbuster of a plan if allowed its share of funds. Without question, the Howard County Commission wholeheartedly supports MMC in its efforts to improve cellular quality. The citizens of our county will benefit significantly with MMC constructing ten cellular towers. Mid-Missouri Cellular can feasibly invest money into a high cost area such as ours, "if and only if" granted access to the Universal Service Fund. Many, many states have "tapped" into the USF. The question the Howard County Commission asks is, "Why is Mid-Missouri Cellular, the wireless company headquartered in Sedalia, not given access to this special fund?" Along with that question, we wish to inform the Missouri Public Service Commission, the latest next generation technology is especially vital to those in our community who are our most senior.

We ask the members of the Missouri Public Service Commission, to consider the improvement in cellular telephone service that will result IF the ten cellular towers are built. We ask you to consider the improvement in emergency services that will result, especially in a rural county such as ours. An improvement to be made will encompass emergency 9-1-1 location services. At present, if someone makes an emergency cellular telephone call, it can be tracked to within several miles of the caller. If Mid-Missouri Cellular gains access to the Universal Service Fund, the cellular telephone company will enhance its emergency services capability. It will be armed with the ability to pinpoint a cellular telephone caller's location to a matter of a few feet.

In closing, we ask the members of the Missouri Public Service Commission, to consider our "way of life" in Howard County. Our way of life is agriculture. It is a "romantic" way of life steeped in rich tradition. However; there is always an element of danger in our daily livelihood of working with machinery, harvesting crops, tending livestock. Much of it done in solitary conditions. In other words, a marked improvement in cellular quality may result in the saving of life "of one of our own."

The advent of the cellular telephone was one of the most remarkable inventions of the 20<sup>th</sup> Century. For those involved in farming, it provides us "peace of mind." We know at least

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we have a "fighting chance," if alone and become seriously ill, trapped by a piece of machinery, or hurt while working with livestock.

The answer the County of Howard provides the Missouri Public Service Commission is we unhesitatingly endorse the notion that Mid-Missouri Cellular be granted access to the federally mandated, industry-generated fund termed the Universal Service Fund (USF).

We appreciate your consideration in this matter.

Thank you.

Most sincerely,

EATON, PRESIDING COMMI SSIONER

RICHARD CONROW, EASTERN DISTRICT COMM SSIONER

D BLACK, WESTERN DISTRICT COMMISSIONER

#### January 11, 2005

#### Pettis County Commissioners

This tetter will help shed light on the current situation of a local company struggling with the actions of the Missouri Public Service Commission (PSC). Mid-Missouri Cellular (MMC), a wireless firm headquartered in Sedalla, has been deadlocked for over two years in a struggle with the PSC. MMC was the first wireless company in Missouri to file for access to a federally mandated, industry-generated fund called the Universal Service Fund (USF).

This fund is intended to assist telecommunications carriers with the expanses of installing the latest next generation technologies in high-cost anses. In most cases, state governments decide who receives eccess to this fund and how they use it. While dozens of other states are utilizing this pool of maney for the public good, Missourians continue to be left out.

The PSC has claimed that granting MMC access to these federal funds is not in the public interest. However, MMC plans to use their share of these funds to improve cellular quality (constructing 10 additional cellular towers) and emergency services in the most rural areas of its 7-county Missouri market, which is critical to customer safety and well-being. One of these improvements will be emergency 911 location services. Currently, an emergency cell from a cell phone can be tracked to within several miles of the cafter. With access to the USF, MMC will enhance that capability, giving emergency services the ability to pinpoint a caller's location to within a few feet.

Without use of these funds, MMC, a small wireless carrier, cannot make the important changes possible for its rural customers. We ask that you, as public officials, voice your support to our PSC commissionars, putting Mid-Missouri Cellular on a quick road to gaining use of the Universal Service Fund. Doing so will allow the deployment of more cell sites, and the tatest in callular technology and emergency service capabilities for your area. Our ultimate goal is to establish some form of partnership with you where all citizens can benefit from better emergency services throughout Missouri.

Sincerely

Kevin Dawson General Managar Mid-Missouri Cellular



Howard County E911 600 West Morrison, Suite 1 Payette, Missouri 65249

January 12, 2005

To the Missouri Public Service Commission:

As the Emergency 911 Director for Howard County, the benefits of cellular technology to the users of 911 are of great interest to me. When I heard recently that our wireless carrier, Mid-Missouri Cellular, had been denied the status necessary to utilize an industry-generated fund to make these changes possible, in Howard and in the other Missouri counties they serve, I was concerned.

I firmly believe that if you will reconsider and grant Mid-Missouri Cellular the telecommunications status it deserves, it will make immediately possible the availability of enhanced technology to the entire market area in question, not just its cities and larger towns. Thus status, if granted, will enable Mid-Missouri Cellular to make the upgrades necessary – and would be a valuable feature for ell citizens of this county.

To make these things happen, additional cellular towers, crucial for reducing response time in emergency situations, must be built, so our agency personnel can clearly determine the needs of the celler. Doing so would also banefit our law enforcement personnel, fire department, EMS and other agencies who depend greatly on the ability to communicate guickly.

Without this technology being put in place soon, the risk of the loss of life and property will rise. I'm sure the members of the PSC don't want this to happen. I urge you to reverse your previous decision and grant Emergency Telecommunications Carrier status to Mid-Missouri Cellular, allowing them to access the industry-generated fund that was created just for this purpose -- the benefit of our citizens.

Sincarely, Charlotte Dysert

Director

January 26, 2005

To the Missouri Public Service Commission:

This letter is intended to support Mid-Missouri Cellular's (MMC) attempt to gain Eligible. Telecommunications Carrier (ETC) status. It would follow that Mid-Missouri Cellular would then have access to the Universal Service Fund.

As E911 Director of Cooper County, I heartily recommend that MMC be granted ETC Status and access to these funds. It is most definitely in the public's best interest for a fully qualified wireless company like MMC to gain access to these funds.

MMC has outlined a clear plan detailing how the funds will be used when ETC status is granted. MMC will utilize the funds available to them to improve overall cellular quality, build 10 more cell sites, and extend up-to-date emergency services to the most rural areas of its 7 county Missouri market.

Without access to this fund, MMC will be forced to find alternative methods of funding these improvements. This could take more time, delaying the necessary and eventual changes, and could mean the difference between life and death for someone in danger and in need of help. Please consider reversing your earlier decision and grant Mid-Missouri Cellular Eligible Telecommunications Carrier status. Thank you.

Thomas V. White Director Cooper County EMA/911

### **City of Glasgow Missouri**

Appendix I

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#### Peradice on the Mesouri River

This letter will help shed light on the current situation of a local company struggling with the actions of the Missouri Public Service Commission (PSC). Mid-Missouri Cellular (MMC), a wireless firm with headquarters in Sedalia, and one who covers our area, is, I understand, deadlocked in a struggle with the PSC. They have asked for and have been denied the status necessary to allow them access to the Universal Service Fund (USF), a federally-mandated, industry-driven fund meant for use by smaller firms to make technology possible to all customers in high cost areas – that abound in parts of Missouri such as Howard County.

In most case, it is my understanding that state governments decide who receives access to this fund and how it is to be used. While dozens of other states are utilizing this pool of money for the public good, Missourians continue to be left out.

We hear that your board has claimed that granting MMC access to these funds is not in the public interest. However, MMC plans to use their share of these funds to improve cellular quality (constructing 10 additional towers; upgrading equipment) and emergency services in the most rural areas of its 7-county Missouri market, which is critical to our safety and well-being. One of these improvements is 911 location services. Currently, an emergency call from a cell phone can be tracked to within several miles of the caller. With access to the USC, MMC can help enhance that capability, giving emergency services the ability to pinpoint a caller's location to within a few feet.

Without access to these funds, MMC cannot make the changes mandated by the federal government. As a public servant, I ask that you, as a governing board, reverse your denial of this company's request and put MMC on a quick road to its deserved status and access to the USF.

Kind Regards

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#### Appendix I

#### January 17, 2005

To Mayor Tom Beamer:

This latter will help shed light on the current cituation of a local company struggling with the actions of the Missouri Public Service Commission (PSC). Mid-Missouri Cellular (MMC), a wireless firm headquartered in Sedalla, has been deadlocked for over two years in a struggle with the PSC. MMC was the *first wireless company* in Missouri to file for access to a federally mandated, industry-generated fund called the Universal Service Fund (USF).

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Without use of these funds, MMC, a small wireless carrier, cannot make the important changes possible for its rural customers. We ask that you, as public officials, voice your support to our PSC commissioners, putting Mid-Missouri Cellular on a quick road to gaining use of the Universal Service Fund. Doing so will allow the deployment of more cell sites, and the letest in cellular technology and emergency service capabilities for your area. Our ultimate goal is to establish some form of partnership with you where all citizens can benefit from better emergency services throughout Missouri.

Sincerely,

Kevin Dawson General Manager Mid-Missouri Cellular

Mayor drow Rock, mo

With your permission, and after you've completed the following form, Mid-Missouri Cellular will draft a letter explaining your position to send to the Missouri Public Service Commission. A copy of this letter will be forwarded for your approval, and then sent to the Missouri Public Service Commission.

Name: Cary otherington, Tom Hay 5 Mayar Position: \_\_\_\_

Mailing Address:

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See back panel for terms and condition details.

#### **Companion Lines**

Add up to 3 times and share the minutes for \$9,95 per line per month on plans \$44,95 and higher. On all other plans, companion lines are \$14,95 per line per month.

### Night, Weekend E Holidays

Plans 544-95 and higher enjoy NBW hours of 7:01pm to 7:00am Mooday through Friday and all day Saturday and Sunday. All other plans NBW hours are 9:00pm to 7:00am Monday through Priday and all day Saturday and Sunday.

#### **Companion Lines**

Add up to 2 times and share uniterated minutes within the 7 county calling area for \$17.95 per line per month. Comparison lines do not apply with the Coast to Coast Universities dow

#### Additional Lines

Add up to maximum Humber of lines and share the minutes for only \$14.95 per line per month.

Night, Weekend & Holidays

Add Uninmitted Night and Weekend minutes Statewide for \$4.95 per month. Hight and Weekend hours are 7:01pm to 7.00am Monday through Friday and all day Saturday and

#### **Peak Hours**

Peak Hours are considered 7:00am to 8:59pm Monday through Friday, Right and Weekend Insura are 7:00pm to 6:59pm Monday through Friday, as well as weekends and holidays.

#### **Mid-Missouri** Cellular We've got

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## Mid-Missouri Cellular Coverage Areas



Appendix J