

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

In the Matter of the Application of Missouri	)	
RSA No. 5 Partnership for Designation as a	)	
Telecommunications Company Carrier Eligible	)	Case No. TO-2006-0172
For Federal Universal Service Support Pursuant to	)	
§ 254 of the Telecommunications Act of 1996	)	

**APPLICATION TO INTERVENE**

Come now Grand River Mutual Telephone Corporation, Mark Twain Rural Telephone Company, and Northeast Missouri Rural Telephone Company (collectively "The Small ILECs") and in support of their Application to Intervene in the above-captioned matter state that:

1. The Small ILECs currently provide telecommunications services to members of the public located in the areas certificated to them by the Missouri Public Service Commission ("Commission"). As is relevant to this case, the Small ILECs provide "basic local telecommunications services" within one or more Missouri exchanges as defined by their tariffs on file with and approved by the Commission. The Small ILECs are "telecommunications companies" and "public utilities" as those terms are defined by §386.020 RSMo 2000, and are, therefore, subject to the jurisdiction, regulation and control of the Commission as provided by law. The Small ILECs are also rural telephone companies and incumbent local exchange carriers as defined by the Federal Telecommunications Act of 1996 (the "Act"). The Small ILECs have also been designated by the Commission as eligible telecommunications carriers ("ETCs") for purposes of receiving Federal Universal Service Fund monies.

2. All correspondence, communications, orders and decisions in this matter should be addressed to the following:

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3. On October 18, 2005, Missouri RSA No. 5 Partnership (“Chariton Valley Wireless”) filed an Application requesting designation as an eligible telecommunications carrier pursuant to Section 254 of the Act. Chariton Valley Wireless is a telecommunications carrier authorized by the Federal Communications Commission (“FCC”) to provide commercial mobile radio services (“CMRS”) in Missouri. Chariton Valley Wireless is not certificated by the Missouri Commission to provide basic local telecommunications services, and the services it provides do not fall within the definition of “telecommunications service” as that term is defined in §386.020(53)(c), RSMo 2000.

4. Chariton Valley Wireless requests ETC designation for its entire FCC-licensed service area subject to certain limitations set out in the Application. Chariton Valley Wireless seeks ETC designation in part of the service areas of the Small ILECs.

5. On October 20, 2005, the Commission issued an Order Directing Notice in this proceeding setting November 9, 2005, as the deadline for parties wishing to intervene.

6. The Small ILECs file this Application to Intervene in the instant proceeding on the grounds that the grant of ETC designation to Chariton Valley Wireless as a CMRS provider not regulated by the Missouri Commission will affect the Small ILECs’ ability to

provide telecommunications services in their certificated exchanges. The Commission may only designate an additional carrier as an ETC in an area served by a rural telephone company if that designation is consistent with the public interest, convenience and necessity and upon an express finding that the designation is in the public interest. Granting ETC status to Chariton Valley Wireless and allowing it to collect Universal Service Fund (“USF”) funds is not in the public interest as granting ETC status to Chariton Valley Wireless will not bring benefits to the community that the community does not already have.

7. In addition, the grant of ETC designation to Chariton Valley Wireless will not increase competition in the requested service areas as those areas are already served by local exchange companies and wireless providers. Granting ETC status to an additional carrier will also have an adverse effect on the USF fund itself and will increase the amount that consumers will be assessed. Therefore, the Small ILECs seek intervention in this case in order to protect their interests in providing basic local exchange service to the customers located within their respective service areas. The Small ILECs oppose the application.

8. The Small ILECs have interests that are different from those of the general public and their interests may be adversely affected by the final order arising from this case. Furthermore, their intervention and participation will serve the public interest.

9. The Small ILECs do not have any pending action or final unsatisfied judgments or decisions against them 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 the application. The Small ILECs do not have any annual report or assessment fees that are overdue.

WHEREFORE, the Small ILECs respectfully request that the Commission issue an order authorizing them to intervene in the above-captioned proceeding and for such other orders as are reasonable in the circumstances.

Respectfully submitted,

**/s/ Brian T. McCartney**

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was hand-delivered or mailed, United States Mail, postage prepaid, this 9th day of November, 2005 to:

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