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July 28, 2003

**FILED**

JUL 28 2003

Missouri Public  
Service Commission

Secretary  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, Missouri 65102

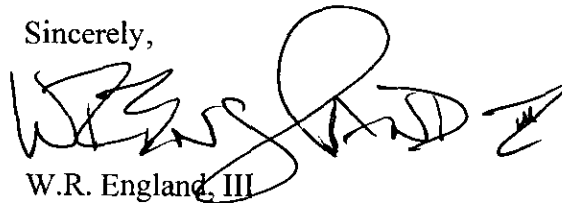
**Re: Case No. TK-2003-0535**

Dear Mr. Roberts:

Enclosed for filing on behalf of the Missouri Independent Telephone Company Group and the Small Telephone Company Group, please find an original and eight copies of the Motion to Cancel Hearing and Withdraw Opposition.

Please see that this filing is brought to the attention of the appropriate Commission personnel. Copies of the attached are being provided to parties of record. If you have any questions regarding this filing, please give me a call. I thank you in advance for your attention to and cooperation in this matter.

Sincerely,



W.R. England, III

WREda

Enclosure

cc: Parties of Record

FILED<sup>2</sup>

JUL 28 2003

Missouri Public  
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Master Interconnection and     )  
Resale Agreement by and between Sprint Missouri,     )  
Inc., and ICG Telecom Group, Inc., Pursuant to     )     Case No. TK-2003-0535  
Sections 251 and 252 of the Telecommunications     )  
Act of 1996.     )

**Motion to Cancel Hearings and Withdraw Opposition**

Comes now the Missouri Independent Telephone Company Group (MITG)<sup>1</sup> and the Small Telephone Company Group (STCG)<sup>2</sup> and for their Motion to Cancel Hearing and Withdraw Opposition state to the Missouri Public Service Commission (Commission) as follows:

1. On June 4, 2003, Sprint Missouri Inc. d/b/a Sprint (Sprint) filed an Application for approval of an Interconnection Agreement with ICG Telecom Group (ICG).
2. On June 19 and 23, 2003, respectively, the MITG and STCG filed Applications to intervene and requests for hearing. MITG and STCG were primarily concerned with the "transit" and related provisions contained in the Interconnection Agreement. Said Applications

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<sup>1</sup>Alma Communications Co., Chariton Valley Telephone Corp., Choctaw Telephone Co., Mid-Missouri Telephone Company, MoKan Dial, Inc., and Northeast Missouri Rural Telephone Co.

<sup>2</sup>BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company, Craw-Kan Telephone Cooperative, Inc., Ellington Telephone Company, Farber Telephone Company, Goodman Telephone Company, Inc., Granby Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corp., Holway Telephone Company, Iamo Telephone Company, Kingdom Telephone Company, KLM Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, McDonald County Telephone Company, Mark Twain Rural Telephone Company, Miller Telephone Company, New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Peace Valley Telephone Company, Rock Port Telephone Company, Seneca Telephone Company, Steelville Telephone Exchange, Inc. and Stoutland Telephone Company.

were granted by Commission Order issued July 8, 2003.

3. On July 11, 2003, the Commission convened a prehearing conference at which time representatives of Sprint, ICG, Staff, MITG and STCG appeared.

4. On July 18, 2003, Sprint filed its Response to Record Question Posed at Prehearing Conference which identified the records that Sprint was prepared to produce if, and when, ICG transits traffic under its Interconnection Agreement with Sprint.

5. On July 21, 2003, Sprint filed a Revised Amendment No. 1 to its Interconnection Agreement with ICG. Said Amendment limits the type of traffic which Sprint will "transit" under its Interconnection Agreement with ICG to local traffic only. On July 24, 2003, Sprint filed its Response of Sprint Missouri Inc. to Order Directing Filing and Other Pleadings wherein it represented that Revised Amendment No. 1 to the Interconnection Agreement with ICG removes all issues raised by MITG and STCG from the case. Specifically, Sprint stated that ". . . under the Revised Amendment, no traffic will transit to non-party incumbent local exchange companies, such as intervenors, other than Metropolitan Calling Area ("MCA") traffic consistent with Commission rules and orders."

6. On July 25, 2003, the Commission issued its Order Granting Request for Hearing, Adopting Procedural Schedule, and Granting Leave to Amend which, among other things, granted leave to Sprint and ICG to file the Amendment to their Interconnection Agreement.

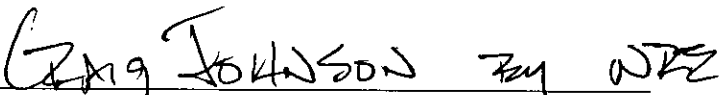
7. Upon further review of the Revised Amendment No. 1, the Response of Sprint to Order Directing Filing, and the Commission Order, the MITG and STCG determine that their concerns regarding the Interconnection Agreement between Sprint and ICG as previously identified in their pleadings have been satisfactorily addressed, such that they no longer require

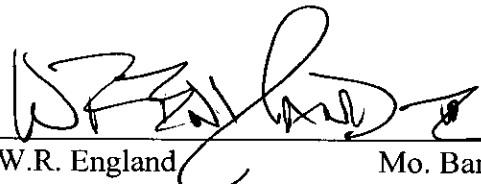
an evidentiary hearing. In addition, they are willing to withdraw their opposition to the Interconnection Agreement as amended by Revised Amendment No. 1, but request to remain parties for purposes of receiving further pleadings and orders in this case.

8. Representatives of MITG and STCG have talked with representatives of Sprint, ICG and Staff regarding this pleading and they have indicated no opposition to same.

WHEREFORE, MITG and STCG respectfully request the Commission issue its order 1) canceling hearing in the above-referenced matter; and 2) granting leave to the MITG and STCG to withdraw their previously stated opposition to Interconnection Agreement, as amended.

Respectfully submitted,

  
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Attorneys for STCG

Certificate of Service


I hereby certify that a true and correct copy of the above and foregoing document was mailed or hand-delivered, this 28<sup>th</sup> day of July, 2003 to:

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Missouri Public Service Commission  
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