#### LAW OFFICES

#### **BRYDON, SWEARENGEN & ENGLAND**

PROFESSIONAL CORPORATION

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
CHARLES E. SMARR

312 EAST CAPITOL AVENUE
P.O. BOX 456

JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 635-0427

DEAN L. COOPER MARK G. ANDERSON GREGORY C. MITCHELL BRIAN T. MCCARTNEY DIANA C. FARR JANET E. WHEELER

OF COUNSEL RICHARD T. CIOTTONE

August 1, 2003

FILED<sup>2</sup>

AUG 0 1 2003

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

Missouri Public Service Commission

Re: Case No. TK-2003-0569

Dear Mr. Roberts:

Enclosed for filing on behalf of the Small Telephone Company Group, please find a Motion to Accept Amendment to Interconnection Agreement and Withdraw Request for Hearing.

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,

Brian T. McCartney

Brian T. M'Contray

BTM/da Enclosure

cc: Parties of Record

FILED<sup>2</sup>

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

AUG 0 1 2003

In the Matter of the Master Interconnection and Agreemen	nt )	Missouri Public Service Commission
Between Sprint Missouri, Inc. and Fidelity Communication	ons) Case I	No. TK-2003-0569
Services I, Inc. Pursuant to Sections 251 and 252 of the	)	
Telecommunications Act of 1996.	)	

## Motion to Accept Amendment to Interconnection Agreement and Withdraw Request for Hearing

Comes now the Small Telephone Company Group (STCG)<sup>1</sup> and for their Motion to

Accept Amendment to Interconnection Agreement and Withdraw Request for Hearing state to
the Missouri Public Service Commission (Commission) as follows:

- 1. On June 23, 2003, Sprint Missouri Inc. d/b/a Sprint (Sprint) filed an Application for approval of a Master Interconnection and Resale Agreement with Fidelity Communications Services I, Inc. (Fidelity Communications).
- 2. On July 25, respectively, the STCG filed its Application to Intervene and request for hearing. The STCG was primarily concerned with the "transit" and related provisions contained in the Interconnection Agreement.
  - 3. On July 31, 2003, Sprint filed Amendment No. 1 to its Interconnection Agreement

<sup>&</sup>lt;sup>1</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.

with Fidelity Communications. Said Amendment limits the type of traffic which Sprint will "transit" under its Interconnection Agreement with Fidelity Communications to local traffic only.

- 4. Upon review of the Revised Amendment No. 1, the STCG has determined that its concerns regarding the Interconnection Agreement between Sprint and Fidelity will be satisfactorily addressed, such that they no longer require an evidentiary hearing if the Amendment is accepted. In addition, if the Amendment is accepted, the STCG is willing to withdraw its opposition to the Interconnection Agreement as amended by Revised Amendment No. 1.
- 5. If Amendment No. 1 is accepted, the STCG still requests to be granted intervention, but only for purposes of receiving further pleadings and orders in this case.

WHEREFORE, the STCG respectfully requests the Commission issue its order 1) accepting Amendment No. 1 to the Interconnection Agreement between Sprint and Fidelity Communications; and 2) allowing the STCG to withdraw its previously stated opposition to Interconnection Agreement, as amended, and their request for hearing.

Respectfully submitted,

W.R. England

Mo. Bar No. 2397

Brian T. McCartney

Mo. Bar No. 47788

Brydon, Swearengen & England P.C. 312 E. Capitol Avenue, P.O. Box 456

Jefferson City, MO 65102

573/635-7166

Email: trip@brydonlaw.com

bmccartney@brydonlaw.com

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 \sum day of August, 2003 to:

Marc Poston Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

Office of Public Counsel P.O. Box 7800 Jefferson City, MO 65102

N. 61

Lisa Creighton Hendricks Sprint Missouri Inc. 6450 Sprint Parkway, Bldg. 14 Mail Stop: KSOPHN0212-2A253 Overland Park, KS 66251

W. R. England, III

t. MCCant