## ANDERECK, EVANS, MILNE, PEACE & JOHNSON, L.L.C.

ATTORNEYS AT LAW

**EUGENE E. ANDERECK** 

TERRY M. EVANS

ERWIN L. MILNE

JACK PEACE

CRAIGS. JOHNSON

RODRIC A. WIDGER

GEORGE M. JOHNSON

BEVERLY J. FIGG

WILLIAM S. LEWIS

VICTOR S. SCOTT

COREY K. HERRON

700 EAST CAPITOL AVENUE

COL. DARWIN MARMADUKE HOUSE

P.O. BOX 1438

JEFFERSON CITY, MISSOURI 65102-1438

**TELEPHONE 573-634-3422** 

November 4, 2003

FAX 573-634-7822

LISA C. CHASE

MATTHEW M. KROHN

LANETTE R. GOOCH

SHAWN BATTAGLER

ROB TROWBRIDGE

JOSEPH M. PAGE

JUDITH E. KOEHLER

ANDREW J. SPORLEDER

REBECCA L. SELLERS

OF COUNSEL

MARVIN J. SHARP

PATRICK A., BAUMHOER

GREGORY C. STOCKARD (1904-1993)

PHIL HAUCK (1924-1991)

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

Re:

TO-2003-0531

NOV 0 4 2003

Missouri Public Bervice Commission

Dear Secretary:

Enclosed for filing please find an original and eight (8) copies of the Motion To Withdraw As Counsel and Motion To Suspend Procedural Schedule/Motion For Expedited Treatment in the above-referenced matter.

If you have any questions or concerns, please do not hesitate to contact me. Thank you for seeing this filed.

Sincerely

Johnson

CSJ:sw Enc.

cc:

Michael Dandino

Marc Poston, General Counsel W. R. England, III/Sondra Morgan

Paul DeFord

Charles Brent Stewart

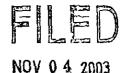
Trenton Office 9th And Washington Trenton, Missouri 64683 660-359-2244 Fax 660-359-2116

Springfield Office 1111 S. Glenstone P.O. Box 4929 Springfield, Missouri 65808 417-864-6401 Fax 417-864-4967

Princeton Office 207 North Washington Princeton, Missouri 64673 660-748-2244 Fax 660-748-4405

Smithville Office 119 E. Main Street P.O. Box. 654 Smithville, Missouri 64089 816-532-3895 Fax 816-532-3899

## BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI



		Misseuri Public
In the Matter of the Application of	)	Misseuri Public <b>scribe Commissio</b> n
Missouri RSA No. 7 Limited Partnership	)	
d/b/a Mid-Missouri Cellular	)	
for Designation as a Telecommunications	)	Case No. TO-2003-0531
Company Carrier Eligible for Federal Universal	)	
Service Support pursuant to § 254 of the	)	
Telecommunications Act of 1996.	Ś	

## MOTION TO WITHDRAW AS COUNSEL

COMES NOW the current undersigned attorney of record for Alma Communications Company d/b/a Alma Telephone Company ("Alma"), Andereck, Evans, Milne, Peace & Johnson, L.L.C., and files this Motion to Withdraw as Counsel of Record for Alma in this proceeding. In support of this Motion, the undersigned counsel states that:

- 1. He was contacted November 3, 2003 by a representative of Mid-Missouri Cellular asking him to withdraw as Counsel for Alma Telephone Company in this proceeding. This request was made on behalf of Mid-Missouri Cellular in recognition that, in the past, the undersigned counsel of record has consulted with Mid-Missouri Cellular in a legal capacity.
- 2. The undersigned has done legal work for Mid-Missouri Cellular and its parent companies in the past on matters that are not related to this proceeding. The undersigned counsel, in February of 2002 at the time of entering an appearance in T0-2003-0288, the docket preceding this docket, had contacted representatives of Mid-Missouri Cellular and had then obtained its consent to representing Alma in this case.

3. The undersigned counsel desires to honor Mid-Missouri Cellular's request. The Missouri Rules of Professional Conduct which provide that an attorney who has previously represented a client in a matter shall not "(a) represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client consents after consultation; or (b) use information relating to the representation to the disadvantage of the former client except as Rule 1.6 would permit with respect to a client or when the information has become generally known." Rule 4-1.9.

WHEREFORE, Counsel for Andereck, Evans, Milne, Peace & Johnson, L.L.C. requests leave to withdraw as counsel for Alma Telephone Company in this proceeding.

ANDERECK, EVANS, MILNE, PEACE & JOHNSON, L.L.C.

By

Craig S. Johnson MO Bar No. 28179 Lisa Cole Chase MO Bar No. 51502

700 East Capitol Avenue

The Col. Darwin Marmaduke House

Post Office Box 1438

Jefferson City, Missouri 65102

Telephone: (573) 634-3422 Facsimile: (573) 634-7822

ATTORNEYS FOR ALMA TELEPHONE COMPANY

## **CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and accurate copy of the foregoing was mailed, U.S. Mail, postage pre-paid, this 4<sup>th</sup> day of November, 2003, to:

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

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

Paul DeFord Lathrop & Gage, L.C. 2345 Grand Boulevard, Suite 2800 Kansas City, MO 64108-2684

W. R. England, III Sondra B. Morgan Brydon, Swearengen & England, P.C. P. O. Box 456 Jefferson City, MO 65101

Charles Brent Stewart Stewart & Keevil, L.L.C. 4603 John Garry Drive, Suite 11 Columbia, MO 65203

Lisa Cole Chase