

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

In the matter of the application of USCOC of)
Greater Missouri, LLC for designation as an)
eligible telecommunications carrier pursuant to)
the Telecommunications Act of 1996.) Case No. TO-2005-0384

**APPLICATION TO INTERVENE OF
SOUTHWESTERN BELL TELEPHONE, L.P.**

Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, (“SBC Missouri”) respectfully submits this Application to Intervene in the above-captioned case, pursuant to Commission Rule 2.075 (4 CSR 240-2.075) and the Commission’s April 26, 2005 Order Directing Notice and Establishing Date for Intervention (“Order”). In support of this Application, SBC Missouri states that:

1. SBC Missouri is a limited partnership duly authorized to conduct business in Missouri with its principal Missouri office located at One SBC Center, 35th Floor, St. Louis, Missouri 63101. SBC Missouri is a “local exchange telecommunications company” and a “public utility,” and is duly authorized to provide “telecommunications service” within the State of Missouri as each of those phrases is defined in Section 386.020 RSMo (2000).

2. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Paul G. Lane
Leo J. Bub
Robert J. Gryzmala
Mimi B. MacDonald
Attorneys for Southwestern Bell Telephone, L.P.
One SBC Center, Room 3516
St. Louis, Missouri 63101

3. This case arose from the filing, on April 22, 2005, of an application by USCOC of Greater Missouri, LLC, d/b/a US Cellular (“US Cellular”) for designation as an eligible telecommunications carrier (“ETC”) with respect to federal universal service support. (“US Cellular’s Application”). In the Commission’s April 26, 2005, Order, the Commission directed that any party wishing to intervene in the case should file an application to do so by not later than May 16, 2005. Order, p. 2.

4. The Commission should permit SBC Missouri to intervene in this case pursuant to Commission Rule 2.075(4)(B) (4 CSR 240-2.075(4)(B)) because doing so would be in the public interest. SBC Missouri has long had, and continues to have, a significant and direct interest in the operation of the federal Universal Service Fund (“USF”). Additionally, SBC Missouri will bring to this proceeding its extensive experience as a telecommunications provider and participant in the operation and administration of USF matters at both the federal and state level.

5. SBC Missouri’s intervention is also warranted under Commission Rule 2.075(4)(A) (4 CSR 240-2.075(4)(A)) because SBC Missouri’s interests differ from those of the general public. US Cellular seeks designation for its ETC service area in approximately 167 non-rural SBC Missouri wire centers. US Cellular’s Application, ¶ 6, and Appendix C, pp. 2-6. Furthermore, SBC Missouri contributes in excess of \$10 million annually to the federal USF. Granting US Cellular’s Application would likely increase the size of the federal USF and increase SBC Missouri’s required payments into the fund. Finally, granting US Cellular’s Application would result in US Cellular’s receiving federal Interstate Access Support funds from the federal USF. Interstate Access Support is support that is provided to carriers affected by and as a result of the

FCC's CALLS Order.¹ Since Interstate Access Support is capped at \$650 million,² the addition of lines provided by US Cellular will impact the support available to price cap carriers who participate in CALLS, not only in Missouri, but in all areas served by these price cap carriers. SBC Missouri's legal rights, duties and other legal interests will be substantially affected by the proceeding. No other party to this proceeding will adequately protect SBC Missouri's interests.

6. For the foregoing reasons, SBC Missouri respectfully requests that the Commission grant its Application to Intervene in the above-captioned case.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

BY 

PAUL G. LANE #27011
LEO J. BUB #34326
ROBERT J. GRYZMALA #32454
MIMI B. MACDONALD #37606

Attorneys for Southwestern Bell Telephone, L.P.
One SBC Center, Room 3516
St. Louis, Missouri 63101
314-235-6060 (Telephone)\314-247-0014 (Facsimile)
robert.gryzmala@sbc.com

¹ In the Matter of Access Charge Reform; Price Cap Performance Review for Local Exchange Carriers; Low-Volume Long Distance Users; Federal-State Joint Board On Universal Service, CC Docket No. 96-262; CC Docket No. 94-1; CC Docket No. 99-249; CC Docket No. 96-45, Sixth Report and Order in CC Docket Nos. 96-262 and 94-1, Report and Order in CC Docket No. 99-249, and Eleventh Report and Order in CC Docket No. 96-45, 15 FCC Rcd 12962 (2000) ("CALLS Order"), *aff'd in part, rev'd in part, and remanded in part*, Texas Office of Public Util. Counsel v. FCC, 265 F. 3d 313 (5th Cir. 2001), Order on Remand, 18 FCC Rcd 14976 (2003).

² CALLS Order, ¶ 186 ("Specifically, the interstate access universal service support mechanism that we establish today has the following features: . . . Support is fixed at an annual amount of \$ 650 million.").

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to all parties by e-mail on May 16, 2005.


Robert J. Grymala

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102-0360

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

Karl Zobrist
Sonnenschein Nath & Rosenthal, LLP
4520 Main Street, Suite 1100
Kansas City, Missouri 64114

Anne E. Bos
Blackwell Sanders Peper Martin LLP
4801 Main Street, Suite 1000
Kansas City, Missouri 64112

David A. LaFuria
Steven M. Chernoff
Lukas, Nace, Gutierrez & Sachs CHTD
1650 Tysons Blvd
McLean, Virginia 22102