

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

In the Matter of the Application of Nexus	)	
Communications, Inc., d/b/a TSI, for	)	
Designation as a Telecommunications	)	Case No. CA-2006-0282
Carrier Eligible for Federal Universal	)	
Service Support Pursuant to Section 254	)	
of the Telecommunications Act of 1996.	)	

**APPLICATION TO INTERVENE OF  
SOUTHWESTERN BELL TELEPHONE, L.P. DBA AT&T MISSOURI**

AT&T Missouri<sup>1</sup> 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 January 12, 2006, Order Directing Notice ("Order"). In support of this Application, AT&T Missouri states that:

1. AT&T Missouri is a limited partnership duly authorized to conduct business in Missouri with its principal Missouri office located at One SBC Center, 35<sup>th</sup> Floor, St. Louis, Missouri 63101. AT&T 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

One SBC Center, Room 3516

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<sup>1</sup> Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri ("AT&T Missouri").

3. This case arose from the filing, on December 30, 2005, of an application by Nexus Communications, Inc., d/b/a TSI (“TSI”) for designation as an eligible telecommunications carrier (“ETC”) for purposes of receiving federal Universal Service Fund (“USF”) support. (“TSI’s Application”). In the Commission’s January 12, 2006, Order, the Commission directed that any party wishing to intervene in the case should file an application to do so by not later than February 1, 2006. Order, p. 2.

4. The Commission should permit AT&T 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. AT&T Missouri has long had, and continues to have, a significant and direct interest in the operation of the federal USF. Additionally, AT&T 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. AT&T Missouri’s intervention is also warranted under Commission Rule 2.075(4)(A) (4 CSR 240-2.075(4)(A)) because AT&T Missouri’s interests differ from those of the general public. TSI seeks ETC designation in approximately 147 AT&T Missouri exchanges. TSI’s Application, para. 12 & Attachment D thereto. Granting TSI’s Application would likely increase the size of the federal USF and AT&T Missouri’s required payments into the fund. Finally, granting TSI’s Application would result in TSI’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.<sup>2</sup> Since Interstate Access Support is capped at \$650 million,<sup>3</sup> the addition of lines provided by TSI will impact the support available to price cap carriers who participate in CALLS. AT&T 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 AT&T Missouri's interests.

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

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

BY 

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<sup>2</sup> 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 (5<sup>th</sup> Cir. 2001), Order on Remand, 18 FCC Rcd 14976 (2003).

<sup>3</sup> 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 January 13, 2006.

  
Robert J. Gryzmala

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