

ORIGINAL
ILLINOIS COMMERCE COMMISSION

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ILLINOIS COMMERCE COMMISSION STATE OF ILLINOIS
OFFICE OF THE ILLINOIS COMMERCE COMMISSION

Verizon Wireless LLC d/b/a Verizon Wireless)
VoiceStream PCS I, LLC d/b/a T-Mobile)
VoiceStream GSM I Operating Company, LLC,)
d/b/a T-Mobile, Omnipoint Holdings, Inc.)
d/b/a T-Mobile, Powertel/Kentucky, Inc. d/b/a T-Mobile,)
NPCR, Inc. d/b/a Nextel Partners, Nextel Partners)
Operating Corp., AT&T Wireless PCS, LLC,)
and TeleCorp Communications, Inc.)
d/b/a AT&T Wireless)

vs.)

Docket No. 04-0040

Adams Telephone Co-Operative)
Alhambra-Grantfork Telephone Company)
C-R Telephone Company)
Cass Telephone Company)
Egyptian Telephone Cooperative Association, Inc.)
El Paso Telephone Company)
Flat Rock Telephone Co-Op, Inc.)
Grafton Telephone Company)
Hamilton County Telephone Co-Op)
Home Telephone Company)
Laharpe Telephone Company)
Marseilles Telephone Company)
McDonough Telephone Co-Operative, Inc.)
McNabb Telephone Company)
Metamora Telephone Company)
Mid-Century Telephone Cooperative, Inc.)
Odin Telephone Exchange, Inc.)
Shawnee Telephone Company)
Yates City Telephone Company)

MOTION FOR SPECIAL LEAVE TO APPEAR

COME NOW William R. England, III and Brian T. McCartney of the law firm of Brydon, Swearngen & England P.C. and pursuant to Illinois Commerce Commission Rule of Practice 200.90 hereby seek special leave from the Hearing Examiner to enter their appearance on behalf of the small Incumbent Local

Exchange Company (ILEC) Respondents listed on Attachment A to this pleading. The undersigned practice law in the State of Missouri, are in good standing with the Missouri Bar, and practice before Missouri Courts and the Missouri Public Service Commission. None of the members of the firm are disqualified to appear in these courts.

In support of this motion, the undersigned state as follows:

1. Granting leave to appear will further the goals set forth in Section 200.25 of the Illinois Commerce Commission's rules.

2. This motion is appropriate under Illinois Commerce Commission Rule of Practice 200.90 because the state in which counsel are admitted to practice (Missouri) grants leave to Illinois attorneys in similar situations. Specifically:

- (A) Missouri Rule. Missouri Rule 4 CSR 240-2.040 allows practice by out of state attorneys.
- (B) Illinois Co-Counsel. Concurrent with this Motion, an entry by Illinois co-counsel Troy A. Fodor is being filed.
- (C) Recent Missouri Cases. Illinois attorneys are allowed to practice before the Missouri Public Service Commission, and the Missouri Commission has recently granted leave for Illinois attorneys to do so. For example, on December 31, 2003, the Missouri Public Service Commission issued an order granting a motion by an Illinois attorney to appear before it. See Attachment B (*Application of Union Electric Co. d/b/a AmerenUE, for variance from PSC Rule 4 CSR 240-20.050, 'Individual Electric Meters – When Required', to serve River's Edge Properties, L.L.C., Case No. EE-2004-0268, Order Granting Motion to Appear Pro Hac Vice*).

WHEREFORE, counsel respectfully request special leave of the Hearing Examiner pursuant to Rule of Practice 200.90 to appear before and be heard by the Illinois Commerce Commission in this matter.

Respectfully submitted,

W.R. England by BTM
W.R. England, III MBE#23975

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CERTIFICATE OF SERVICE

04-0040

The undersigned, Troy A. Fodor hereby certifies that on the 6th day of February, 2004, he served a copy of the foregoing instrument by personally delivering a copy thereof and/or mailing a copy thereof by electronic mail and/or United States Mail, postage prepaid, at Springfield, Illinois, to the individuals named on the attached Service List in envelopes plainly addressed to each of them.

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