

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Alhambra-Grantfork Telephone Company, et.al.)	
)	Docket Nos. 04-0209 through 04-0225;
)	04-0229 through 04-0231;
Petitioners,)	04-0235; 04-0250;
)	04-0254 through 04-0255;
Petition for Waiver of 83 Ill.)	04-0278 through 04-0281;
Administrative Code Part 730.510(a))	04-0284; 04-0393;
and 730.510(b).)	04-0409 through 04-0410;
)	04- 0729 through 04-0730
)	(Consolidated).

MOTION TO CONSOLIDATE

NOW COME Metamora Telephone Company (“Metamora”) and Marseilles Telephone Company (“Marseilles”) through their attorneys, pursuant to 83 Ill. Admin. Code Sections 200.190 and 200.600, and move the Illinois Commerce Commission to consolidate Docket Numbers 05-0267 and 05-0268 with the Consolidated Dockets 04-0209 et al.forth. In support this Motion, the companies state as follows:

1. Between March 5 and March 18, 2004, twenty-nine telecommunications carriers each filed a Petition for Waiver of 83 Illinois Administrative Code Part 730.510(a) and 730.510(b). Subsequently all Petitions were amended to also request waiver of Section 730.501(c).

2. On April 15, 2004 Staff filed its Motion to Consolidate Docket Nos. 04-0209 through 04-0225; 04-0229 through 04-0231; 04-0235; 04-0250; 04-0254; 04-0255, 04-0278 through 04-0281; 04-0284; 04-0393; 04-0409 through 04-0410; and 04-0729 through 04-0730. Staff’s Motion averred and requested similar relief in seeking waivers from the application of Section 730.510(a) and Section 730.501(b).

3. On August 26, 2004, at an initial hearing, Staff's Motion to Consolidate was granted by Administrative Law Judge Jones. Additionally, at the Prehearing Conference, three dockets were added to the 29 consolidated dockets, namely 04-0393, Reynolds Telephone Company; 04-0409, Grafton Technologies; and 04-0410, Grafton Telephone Company.

4. On December 1, 2004, two additional Petitions for Waiver of the requirements of Part 730.510(a), (b) and (c) were filed. Bergen Telephone Company's Petition was assigned Docket No. 04-0729, and Sharon Telephone Company's Petition was assigned Docket No. 04-0730. These cases too were consolidated with Consolidated Dockets 04-0209 et al. In total, therefore, 34 telecommunications carriers are already Petitioners to Consolidated Dockets 04-0209 et al.

5. On April 18, 2005, two additional Petitions for Waiver of Part 730.510(a), (b) and (c) were filed by Metamora and Marseilles. Metamora's Petition was assigned Docket No. 05-0267, and Marseilles' Petition was assigned Docket No. 05-0268.

6. The Rules of Practice before the Illinois Commerce Commission permit the consolidation of proceedings, as follows:

The Commission or Hearing Examiner may order two or more proceedings involving a similar question of law or fact to be consolidated where rights of the parties or the public interest will not be prejudiced by such procedure. The Commission or Hearing Examiner may order separate proceedings if issues cannot be conveniently disposed of with other issues in the proceeding, or if for any other reason severance of the parties is required.

83 Ill. Admin. Code Section 200.600.

7. The petitions for Waiver of Metamora and Marseilles allege similar facts to those alleged in the 34 petitions that constitute this Consolidated Dockets 04-0209 et

al. Additionally, all dockets involve the same question of law – whether to grant a waiver from Parts 730.510(a), (b) and (c).

8. Consolidating the dockets of the petitions for Waiver filed by Metamora and Marseilles with Consolidated Dockets 04-0209 et al will result in ease of adjudicating these matters, will conserve the resources of the Commission, parties, and staff; and thereby will serve the public interest.

9. No party will be prejudiced by the consolidation. In addition, Counsel for all parties and the Commission Staff have been consulted and no party has an objection to the consolidation.

WHEREFORE, Metamora and Marseilles respectfully request that an Order be entered consolidating Docket Nos. 05-0267 and 05-0268 with Consolidated Docket Nos. 04-0209 through 04-0225; 04-0229 through 04-0231; 04-0235; 04-0250; 04-0254; 04-0255; 04-0278 through 04-0281; 04-0284; 04-0393 04-0409 through 04-0410; and 04-0729 through 04-0730.

Respectfully submitted,

Metamora Telephone Company
Marseilles Telephone Company

By: /s/ _____
One of its Attorneys

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CERTIFICATE OF SERVICE

04-0209 et al.

The undersigned, Troy A. Fodor hereby certifies that on the 19th day of April, 2005, 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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