

STATE OF MARYLAND )  
 ) SS.  
 COUNTY OF HOWARD COUNTY )

**BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION**

Southwestern Bell Telephone, L.P., d/b/a SBC Missouri's )  
 Petition for Compulsory Arbitration of Unresolved Issues ) Case No. TO-2005-0336  
 for a Successor Interconnection Agreement to the )  
 Missouri 271 Agreement ("M2A") )

**AFFIDAVIT OF JAMES C. FALVEY**

COMES NOW James C. Falvey, of lawful age, sound of mind and being first duly sworn, deposes and states:

1. My name is James C. Falvey. I am Sr. Vice President, Regulatory Affairs for Xspedius Communications, LLC.
2. Attached hereto and made a part hereof for all purposes is my direct testimony in the above-referenced case.
3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.

James C. Falvey  
 James C. Falvey

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 19th day of May, 2005.

Rabina E. Carson  
 Notary Public

My Commission Expires:

