

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

In the Matter of the Determination of Prices,	)	
Terms, and Conditions of Certain Unbundled	)	Case No. TO-2001-438
Network Elements.	)	

**LIST OF REMAINING ISSUES**

SBC Missouri<sup>1</sup> and the Joint Sponsors,<sup>2</sup> pursuant to the Missouri Public Service Commission's February 4, 2003 Order Establishing Further Procedural Schedule, respectfully submit the following report on the progress of negotiations and a list of the remaining substantive issues:

1. As the parties indicated in their January 30, 2003 Second Joint Status Report, SBC Missouri and the Joint Sponsors, through diligent and good faith efforts, successfully narrowed the list of approximately 30 outstanding issues to only 12.
2. Additional discussions between SBC Missouri and the Joint Sponsors have resulted in the resolution of several more issues, so that now only four remain (Issues 158, 198, 317 and 353).
3. SBC Missouri and the Joint Sponsor parties represent that their mutual resolution of the Joint Sponsors' issues concerning SBC Missouri's compliance cost studies have been resolved in the nature of a settlement limited to this particular case, where neither party concedes its position or is otherwise prejudiced from asserting its position in another proceeding. The

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<sup>1</sup> Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as "SBC Missouri."

parties' resolution of these issues is contingent on the resolutions being accepted strictly as settlements to avoid further litigation and not reflective of any substantive positions. The parties expressly reserve the right to assert their respective substantive positions in future proceedings.

4. SBC Missouri and the Joint Sponsors plan to present the following four issues to the Commission for resolution in accordance with the approved briefing schedule:

Issue 158. Should multiplexing equipment be included in the recurring cost for the cross-connects in this study?

Remaining Issue for Resolution: Is it appropriate under the Commission's Order to include costs for the FXO plug in card in the study for the 2 and 4 wire cross-connects?

Issue 198. Dispatch time to unmanned central offices, and order completion.

Remaining Issue for Resolution: Has SBC Missouri used the correct dispatch time as ordered by the Commission for provisioning entrance facilities for DS1, DS3, OC3, and OC12 unbundled dedicated transport?

Issue 317. Probability of occurrence for verifying a feature.

Remaining Issue for Resolution: Has SBC Missouri correctly applied the 2% fallout rate from the Commission's Order?

Issue 353. White pages activities.

Remaining Issue for Resolution: Has SBC Missouri removed the "time for coordination with white pages personnel" as directed by the Commission's Order?

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<sup>2</sup> AT&T Communications of the Southwest, Inc. MCImetro Access Transmission Services, LLC, Brooks Fiber Communications of Missouri, Inc., MCI WorldCom Communications, Inc., Birch Telecom of Missouri, Inc., XO Missouri, Inc., NuVox Communications of Missouri, Inc., McLeodUSA Telecommunications, Inc., TCG Kansas City, Inc., and TCG St. Louis, Inc. (collectively "Joint Sponsors"). Counsel for AT&T has been authorized to represent the other Joint Sponsor parties' concurrence in this Status Report.

5. The Parties have been authorized by counsel for Staff to represent that all of the compliance issues raised by Staff have been resolved to Staff's satisfaction, either as a result of the resolutions reached with Joint Sponsors or additional information provided to Staff.

Respectfully submitted,

AT&T COMMUNICATIONS OF THE  
SOUTHWEST, INC.

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing document were served to all parties by e-mail on February 21, 2003.

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