

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

In the Matter of Southwestern Bell Telephone, L.P. )  
d/b/a SBC Missouri's Proposed Revision )  
to its PSC Mo. No. 36 Access Services )

Case No. TT-2004-0542  
Tariff No. JI-2004-1159

**REPLY OF SOUTHWESTERN BELL TELEPHONE, L. P. TO RESPONSE OF AT&T  
COMMUNICATIONS OF THE SOUTHWEST, INC. AND MCI WORLDCOM  
COMMUNICATIONS, INC. TO SOUTHWESTERN BELL TELEPHONE, L. P.'S  
PROPOSED PROCEDURAL SCHEDULE**

Southwestern Bell Telephone, L. P., d/b/a SBC Missouri ("SBC Missouri") hereby replies to AT&T's and MCI's<sup>1</sup> Joint Response to SBC Missouri's Proposed Procedural Schedule ("Joint Response"). For the reasons set forth below, SBC Missouri does not agree with their view that this case will require at least seven days for hearing.

1. On June 15, 2004, SBC Missouri filed with the Commission its proposed procedural schedule in this case. By way of summary, SBC Missouri proposed a "beginning-to-end live testimony" format that would offer the prospect of an earlier Commission decision on the merits than would a more traditional "pre-filed testimony" format. In conjunction with its proposal, SBC Missouri suggested a three-day hearing on the merits. Staff's proposed procedural schedule likewise suggested that the Commission employ a live testimony format, and also proposed a three-day hearing on the merits. Both SBC Missouri and Staff proposed August 24 through August 26, 2004 as acceptable hearing dates.

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<sup>1</sup> "AT&T" shall refer to AT&T Communications of the Southwest, Inc., and "MCI" shall refer to MCI WorldCom Communications, Inc.

2. In contrast, AT&T's and MCI's Joint Response asserts (at p. 2) that "the Commission should reserve at least seven (7) days for hearing in this matter if no written testimony is to be filed." In support, they claim that three days "will not afford ample time for Staff or the intervenors to cross examine SBC's witnesses and thereafter present their own respective cases." But their claim is simply not supportable.

3. First, Staff has already proposed a three-day hearing, and it knows better than AT&T and MCI the time it needs to conduct cross examination and present its own testimony. Thus, AT&T's and MCI's views as to Staff's hearing room needs carry no weight and must be dismissed out of hand.

4. Second, the only intervenor in this case, MCI, has not offered any grounds for opposing SBC Missouri's tariff other than those already offered by AT&T. As MCI noted in its May 4, 2004 request to intervene (at p. 2), it "opposes SBC Missouri's proposed tariff for the reasons identified by AT&T in its pleadings." Given that no independent grounds are offered by MCI, one must expect that both AT&T's and MCI's cross examination, as well as their own case presentations, will consume only about as much time as just one of the parties needs.

5. The true basis for AT&T's proposed seven-day hearing may well rest in its assumption that the Commission would be far more likely to adopt AT&T's traditional "pre-filed testimony" procedural schedule, because it is accompanied by a proposed two-day hearing, rather than a seven-day hearing. However, as noted above, the ostensible need for a seven-day hearing is clearly overstated. More fundamentally, AT&T's proposed schedule would put off a hearing on the merits for almost two months later than that proposed by SBC Missouri and Staff (October 12-13 vs. August 24-26, 2004). Of course, such a delay merely affords AT&T and other interexchange carriers ("IXCs") additional time during which to benefit financially – at

SBC Missouri's expense – by the continued over-reporting of percent of interstate usage ("PIU") associated with unidentified (i.e., non-Calling Party Number traffic).

6. For the foregoing reasons, SBC Missouri disagrees with AT&T's and MCI's assertion that a seven-day hearing is appropriate in this case. SBC Missouri reiterates its support for the proposed procedural schedule it filed with the Commission on June 15, 2004, which proposes a three-day hearing.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of this document were served on all counsel of record by electronic mail on June 23, 2004.

  
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