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December 27, 2000

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65101

Re:

Case No. TT-2001-117

Tariff File No. 200100203

Dear Judge Roberts:

Attached for filing with the Commission is the original and eight (8) copies AT&T Communications of the Southwest Inc.'s Issue List and Statement of Position in the above referenced matter.

I thank you in advance for your cooperation in bringing this to the attention of the Commission.

Very truly yours,

LATHROP & GAGE, L.C.

Paul S. De Ford ye)
Paul S. DeFord

Attachment

cc: All Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

Case No. TT-2001-117
Tariff File No. 200100203

In the Matter of the Access Tariff Filing of Ozark Telephone Company

## AT&T COMMUNICATIONS OF THE SOUTHWEST, INC.'S LIST OF ISSUES AND STATEMENT OF POSITION

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COMES NOW, AT&T Communications of the Southwest, Inc. ("AT&T") and for its List of Issues and Statement of Position states as follows:

1. Compliance with Commission's order. Do the revised tariff sheet and other documents filed by the Company comply with the Commission's order to file a general rate case?

AT&T: No. Staff states that the Company did not file sufficient information concerning all relevant factors pertaining to its overall earnings levels as part of its tariff filing. Staff further states that the information provided by the Company does not provide a reasonable basis for the Commission to make a determination of whether the Company's current earned rate of return is adequate or not. Pauls Surrebuttal Testimony, page 3. In addition, AT&T does not believe that the Company has provided documentation which proves that its existing total rate design package (including access, local, and vertical services) is reasonable.

2. Sanction for noncompliance? If the answer to Issue No. 1 is negative, what action should the Commission take with respect to the Company's filing?

AT&T: The Commission should reject the Company's proposed access tariff filing to eliminate the "interim and subject to refund" language for CCL service rates. In addition, the Commission should order the Company to file a general rate case proceeding in which all relevant factors and the Company's entire rate design package will be examined, unless an excess earnings complaint has already been filed against it by Staff or any other party. Pauls Surrebuttal, pages 5-6.

3. Were earnings excessive? Has the Company earned more than a reasonable return during the period of time that the interim rates have been in effect?

AT&T: no position

**4. If so, extend of excess earnings.** If the answer to Issue No. 3 is affirmative, by how much do the Company's earnings exceed a reasonable return?

AT&T: no position

**5. Remedy, if earnings excessive.** If the answer to Issue No. 3 is affirmative, what remedy should the Commission order?

AT&T: no position

6. What action, if earnings not excessive? If the answer to Issue No. 3 is negative, what action should the commission take with respect to the Company's filing?

AT&T: no position

7. Overrecovery of lost PTC Plan revenues? Has the revenue that the Company received as a result of the interim surcharge exceeded the amount of revenue that the Company lost as a result of the termination of the PTC Plan?

AT&T: no position

8. If so, extent of overrecovery. If the answer to Issue No. 7 is affirmative, by how much do the revenues received as a result of the interim surcharge exceed the revenues that were lost as a result of the termination of the PTC Plan?

AT&T: no position

**9. Remedy if overrecovery.** If the answer to Issue No. 7 is affirmative, what remedy should the Commission order?

AT&T: no position

Respectfully submitted,

LATHROP & GAGE, L.C.

Paul S. DeFord

#29509

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Attorneys for AT&T Communications of the Southwest, Inc.

## **CERTIFICATE OF SERVICE BY MAIL**

A true and correct copy of the foregoing was served upon the parties identified on the following service list on this 27<sup>th</sup> Day of December, 2000, by U.S. Mail or hand-delivery.

Taul S. Me Ford (ye)

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