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August 9, 2000

Dale Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
Truman State Office Building, 5th Floor  
301 West High Street  
Jefferson City, Missouri 65101-1517

FILED<sup>2</sup>

AUG 10 2000

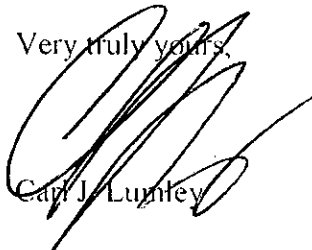
Missouri Public  
Service Commission

Re: Case No. TC-2000-225, et al.

Dear Mr. Roberts:

Enclosed please find for filing with the Commission in connection with the above-referenced proceeding an original and nine copies of Brooks Fiber Communications of Missouri, Inc.'s and MCI WorldCom Communications, Inc.'s reply to SWBT's Response to Motion for Protective Order to Conclude Discovery. Upon your receipt, please file stamp the extra copy received and return to the undersigned. If you have any questions, please do not hesitate to contact us.

Very truly yours,



Carl J. Lumley

CJL:dn

Enclosures

cc. Michael Dandino, Office of Public Counsel (W/Enclosure)  
Dan Joyce, General Counsel (W/Enclosure)  
Anthony Conroy, SWBT (W/Enclosure)

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

FILED<sup>2</sup>

AUG 10 2000

Missouri Public  
Service Commission

MCI WorldCom Communications, Inc., )  
and Brooks Fiber Communications of )  
Missouri, Inc., and BroadSpan Communications, )  
Inc., d/b/a Primary Network Communications, )  
Inc., )

Complainants, )

Case No. TC-2000-225, et al.

vs. )

Southwestern Bell Telephone Company, )

Respondent. )

**BROOKS FIBER COMMUNICATIONS OF MISSOURI, INC.'S**  
**AND MCI WORLD COM COMMUNICATIONS, INC.'S**  
**REPLY TO SWBT'S RESPONSE TO MOTION FOR PROTECTIVE ORDER TO**  
**CONCLUDE DISCOVERY**

COME NOW Brooks Fiber Communications of Missouri, Inc. and MCI WorldCom Communications, Inc. (WC) and for their reply to SWBT's response to their Motion for Protective Order to Conclude Discovery state to the Commission:

1. WC has replied as fully as possible to the two data requests that have engendered all this last minute furor. As discussed further in WC's separate response to SWBT's Motion for Sanctions, when WC provided its initial response to the data requests on July 31, it expressly indicated that it was continuing to seek additional information and would provide such information. It also asked for cooperation from SWBT and received absolutely none. On August 8, WC provided more information. WC did not make any assumptions about how the Commission would rule on the motion to conclude discovery, but rather has continued to comply in full with the Commission's July 20 Order, which expressly contemplated an incomplete initial response by July 31.

2. At this point, WC has provided indisputably full responses to many of the questions, such as those regarding the balance due from SWBT, interconnection rates, supposed preferences, and collocations. Further, WC has provided as full responses as possible to the other questions given available time and circumstances. WC has provided over two years of monthly traffic information, and cannot provide more without going through a six-week special process of creating a new database (which SWBT should have to pay for). WC has provided customer identification information for all but two potential ISP customers, and continues to seek such information from other sources for the remaining two. WC continues to seek information about the specific services and prices applicable to specific customers, but has already informed SWBT that all such services are at tariffed prices. WC has not been able to find any specific customer service agreements, but has supplied the standard form that would have been used.

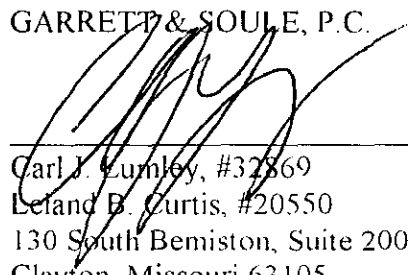
3. Given the hearing will commence in two weeks, and given that SWBT sat on its hands and did not promptly commence this discovery dispute, WC continues to urge the Commission to conclude the discovery process for the reasons stated in the motion for protective order and allow the parties to complete their revised testimony per the Commission's July 20 Order and their other trial preparations.

4. Given the additional information that WC has sought out and provided to SWBT (as promised in its initial response), there is no point in taking on the various vituperative comments made in SWBT's response to the motion for protective order. WC has responded as fully as possible to the data requests in the time available since the July 20 Order was issued. There is no basis whatsoever for SWBT's assertion that WC has had more time than that. Likewise, SWBT's reckless and uninformed statements about the effort involved in generating both the initial and additional discovery responses are not worthy of consideration.

5. The remainder of SWBT's response merely rehashes its motion for sanctions, to which WC has responded by separate pleading.

WHEREFORE, WC prays the Commission to grant the Motion for Protective Order to Conclude Discovery.

CURTIS, OETTING, HENIZ,  
GARRETT & SOULE, P.C.




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Attorneys for MCI WorldCom Communications,  
Inc. and Brooks Fiber Communications of Missouri,  
Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was mailed to all parties listed on the attached service, via U.S. Mail, postage paid, on the 9th day of August, 2000.



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