

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

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"))	

**NOTICE REGARDING CLECS THAT HAVE
NOT SELECTED AN ICA**

SBC Missouri¹ respectfully wishes to advise the Missouri Public Service Commission ("Commission") that pursuant to the Memorandums of Understanding ("MOUs") executed by the parties listed on Attachment 1 and previously filed with the Commission in this case,² SBC Missouri is providing service to them under the SBC Missouri/Sprint Successor ICA, approved by the Commission in Case No. TK-2006-0044.

As set out in the MOUs, each CLEC agreed to select one of the successor M2A agreements approved by the Commission as a result of the Arbitration in this case no later than 10 business days after the issuance of the Commission's decision approving the first successor agreement (the "MFN date"). If the CLEC did not identify an agreement into which it would MFN by the MFN date, the parties agreed that the CLEC will be deemed to have selected the first approved successor agreement.

The Sprint Successor ICA was the first Successor ICA resulting from the Arbitration in this case that was approved by the Commission. SBC Missouri notified all carriers with whom it executed a MOU that the Sprint Successor ICA was the first successor ICA approved by the

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

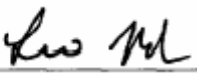
² See, SBC Missouri's Petition for Arbitration, Exhibit 3, filed March 30, 2005; SBC Missouri's Notice of Dismissal filed April 21, 2005; SBC Missouri's Notice of Dismissal filed May 2, 2005; and SBC Missouri's Motion to Dismiss filed May 18, 2005.

Commission. The letter also reminded them that unless they affirmatively chose another arbitrated agreement by executing a Short Form Agreement with SBC Missouri to MFN into that agreement, they will be deemed under the MOU to have selected the Sprint Successor ICA. SBC Missouri has not received anything from the carriers listed on Attachment 1.³ Accordingly, SBC Missouri is providing service to these carriers under the Sprint Successor ICA.

Although these carriers will now be taking service under the Sprint Successor ICA, they may (as provided in the MOU) subsequently submit a request to SBC Missouri to adopt an alternate successor agreement pursuant to Section 252(i) of the Act, which SBC Missouri will handle via the standard MFN process.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

BY 
PAUL G. LANE #27011
LEO J. BUB #34326
ROBERT J. GRYZMALA #32454
MIMI B. MACDONALD #37606


Attorneys for Southwestern Bell Telephone, L.P.
One SBC Center, Room 3518
St. Louis, Missouri 63101
314-235-2508 (Telephone)\314-247-0014 (Facsimile)
lb7809@momail.sbc.com

³ SBC Missouri, however, would note that Comm South, Excel and VarTec are involved in federal bankruptcy proceedings. SBC Missouri understands that they are at various points of the process to secure bankruptcy approval of a successor agreement.

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to all parties by e-mail or first-class, postage prepaid U.S. Mail on October 24, 2005.

BY



William K. Haas
General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, Mo 65102
william.haas@psc.mo.gov
gencounsel@psc.mo.gov

William Steinmeier
Mary Ann (Garr) Young
William D. Steinmeier, P.C.
P.O. Box 104595
Jefferson City, MO 65110
myoung0654@aol.com
wds@wdspc.com

Mark W. Comley
Newman Comley & Ruth
P.O. Box 537
Jefferson City, Mo 65102
comleym@ncrpc.com

Joe Ernest
Ernest Communications, Inc.
5275 Triangle Parkway, Suite 150
Norcross, GA 30092
jernest@ernestgroup.com

Robert Bye
Cinergy Communications Company
8829 Bond Street
Overland Park, KS 66214

Michael F. Dandino
Public Counsel
Office of the Public Counsel
PO Box 7800
Jefferson City, MO 65102
mike.dandino@ded.mo.gov
opcservice@ded.mo.gov

Marva Brown Johnson
Randy Meacham
KMC Data, LLC
KMC Telecom III, LLC
1755 North Brown Road
Lawrenceville, GA 30043
marva.johnson@kmctelecom.com
meach@kmctelecom.com

Carl J. Lumley
Leland B. Curtis
Curtis Oetting Heinz Garrett & Soule, P.C.
130 S. Bemiston, Suite 200
St. Louis, MO 63105
clumley@lawfirmemail.com
lcurtis@lawfirmemail.com

Julia Strow
Cbeyond Communications, Llc
320 Interstate North Parkway, Suite 300
Atlanta, GA 30339

Sheri Pringle
Comm South Companies, Inc.
8035 E. R. L. Thornton, Suite 410
Dallas, TX 75228
springle@commsouth.net

Barry Rubens
Davidson Telecom, LLC
102 W. Worthington Avenue, Suite 207
Charlotte, NC 28203
brubens@davidsontelecom.com

Travis Galt
Vartec Telecom, Inc.
1600 Viceroy Drive
Dallas, TX 75235
tjgalt@vartec.net

Dennis R Devoy
Exop Of Missouri, Inc.
303 N Jefferson
Kearney, MO 64060

John T Davis
Fidelity Communications Services III, Inc.
64 N Clark
Sullivan, MO 63080
execdept@fidnet.com

Penny H Bewick
New Edge Network, Inc.
3000 Columbia House Blvd, Suite 106
Vancouver, WA 98661
pbewick@newedgenetworks.com

Darryl Gill
NOW Intermedia, Inc.
625 N. Euclid Ave., Suite 300
St. Louis, MO 63108
now@teamnetech.com

Alex Valencia
Preferred Carrier Services, Inc.
14681 Midway Road, Suite 105
Addison, TX 75001

David Smith
Ren-Tel Communications, Inc.
33 Black Forest Run
Douglasville, GA 30134
rentel@mindspring.com

Ron Gatz
Empire District Industries, Inc.
602 Joplin
Joplin, MO 64801
rgatz@empiredistrict.com

Travis Galt
Excel Telecommunications, Inc.
2440 Marsh Lane
Carrollton, TX 75006
tjgalt@vartec.net

Brad Warden
Familytel Of Missouri, LLC
2900 Louisville Ave
Monroe, LA 71201

Chad Hazam
Metro Teleconnect Companies, Inc.
2150 Herr Street
Harrisburg, PA 17103
chazam@metrotelco.com

Steven Fenker
Nexus Communications, Inc.
3629 Cleveland Ave., Suite C
Columbus, OH 43224
sfenker1@earthlink.net

Dennis M Packard
PNG Telecommunications, Inc.
100 Commercial Drive
Fairfield, OH 45014
epackard@pngmail.com

Anne Cullather
Qwest Communications Corporation
4250 Fairfax Drive
Arlington, VA 22203
anne.culather@qwest.com
Kathy Robins
Southern Telcom Network, Inc.
719 Highway 5 North, Unite C
Mountain Home, AR 72653
kathyr@4stn.com

Craig H. Pizer
Talk America Inc.
6805 Route 202
New Hope, PA 18938
cpizer@talk.com

Michael W. Ward
Trucomm Corporation
1608 Barclay Boulevard
Buffalo Grove, IL 60089
mwward@dnsys.com

Matthew Brown
Tele-Reconnect, Inc.
3934 Eden Roc Circle East
Tampa, FL 33634
brown@jacod.com