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AUG 22 1997

MISSOURI  
PUBLIC SERVICE COMMISSION

Mr. Cecil Wright  
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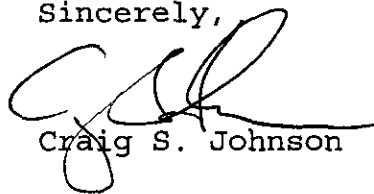
Re: Docket No. TW-97-333

Dear Mr. Wright:

Enclosed please find an original and 14 copies of the Reply Brief of the Mid-Missouri Group in this case. A copy of this letter and a copy of the enclosed brief have been served upon all attorneys of record.

Thank you for seeing this filed.

Sincerely,



Craig S. Johnson

CSJ:skl

Enclosure

cc: Stephen Morris  
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BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

AUG 22 1997

MISSOURI  
PUBLIC SERVICE COMMISSION

In the Matter of an Investigation into )  
The Provision of Community Optional )  
Calling Service in Missouri. )

Case No. TW-97-333

REPLY BRIEF OF THE MID-MISSOURI GROUP

In this reply brief, the Mid-Missouri Group will reply primarily to the executive summary contained in Southwestern Bell's Initial Brief.

In its initial brief, Southwestern Bell suggests it would support a Commission decision to eliminate COS. However, Southwestern Bell also suggests that, should the Commission not eliminate COS, COS should be converted to a one way only local service of the LEC's serving the petitioning exchange, with intercompany compensation based on switched access charges less the CCL element.

The Mid-Missouri Group opposes the conversion of COS to a local service provided by the LEC's serving the petitioning exchange, and also opposes the creation of a new form of intercompany compensation based on switched access less the CCL element.

The genesis of this docket was the FCC dialing parity rules. COS is a toll service under the FCC dialing parity rules. Under 47 CFR 51.5, a telephone toll service is defined as one between stations in different exchange areas for which there is made a separate charge not included in contracts with subscribers for

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exchange service. Under either its current two-way or proposed one-way configuration, COS will remain a telephone service between stations in different exchange areas for which there is made a charge separate and apart from basic local service charges. Therefore, for federal dialing parity purposes, COS is a toll service, and cannot and should not be defined as a local or telephone exchange service by this Commission.

Southwestern Bell indicates that making COS a one way local service would protect the availability of COS, even if the subscriber presubscribes to a carrier that does not provide COS. This is a suggestion to evade the intent of the federal law to open all intralata toll traffic to competition. It would be inappropriate for this Commission to attempt to limit or reduce the market the federal government has directed be open to competition.

COS is not a local service under the applicable Missouri statutory definitions. Under the provisions of Section 386.020(24) RSMo, an interexchange telecommunications service is one between points in two or more exchanges. Because COS by definition requires both a petitioning and target exchange, and the COS calls are only between those exchanges, COS by operation of statute is an interexchange or toll telecommunications service. SUB's suggestion to classify COS as local runs afoul of statute.

Finally, Southwestern Bell's proposal to modify COS intercompany compensation to switched access less the carrier common line (CCL) element, is inappropriate. COS calls are identical in nature to MTS toll calls. COS calls are only "COS"

Bell's proposal to convert COS to a one way only local service provided by the LEC's serving the petitioning exchange with a special access compensation constitute as switched access charges less the CCL element.

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was mailed via U.S. mail, postage prepaid, this 22<sup>nd</sup> day of August, 1997, to:

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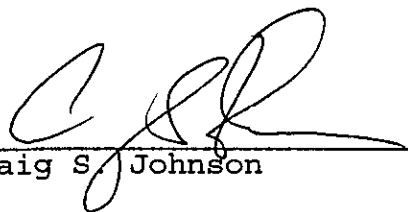
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