

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

Northeast Missouri Rural Telephone Company)	
and Modern Telecommunications company,)	
)	
Petitioners)	
)	
v.)	
)	
Southwestern Bell Telephone Company,)	Case No. TC-2002-57
Southwestern Bell Wireless (Cingular),)	
Voicestream Wireless (Western Wireless), Aerial)	
Communications, Inc., CMT Partners (Verizon)	
Wireless), Sprint Spectrum LP, United States)	
Cellular Corp., and Ameritech Mobile)	
Communications, Inc.)	
)	
Respondents)	

SBC MISSOURI'S RESPONSE

The Missouri Public Service Commission ("Commission") should not entertain Northeast's¹ and Chariton Valley's² request for the Commission to ignore its own rules and constitutional due process requirements.³

Here, Northeast and Chariton Valley want (1) to hold SBC Missouri⁴ responsible for traffic that it did not originate; (2) to conduct negotiations with the other Respondents without including SBC Missouri; (3) to have the Commission adopt their stipulation (which has no factual support but is simply an agreed resolution between a few parties in the case) without holding a hearing or giving SBC Missouri an opportunity to be heard; and (4) to use the stipulation to enforce retroactive liability against SBC Missouri.

¹ Northeast Missouri Rural Telephone Company will be referred to in this pleading as "Northeast."


² Chariton Valley Telephone Corporation will be referred to in this pleading as "Chariton Valley."

³ See, Reply of Northeast and Chariton Valley to SBC, filed May 21, 2004 in Case No. TC-2002-57.

Northeast's and Chariton Valley's approach is inconsistent with mandatory Commission rules and fundamental constitutional due process requirements and should be rejected. Instead, the Commission should issue an Order scheduling a telephonic prehearing conference to establish a procedural schedule for the resolution of the remaining issues in this case.

Respectfully submitted,

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⁴ Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as "SBC Missouri" or "SBC."

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on May 28, 2004.



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