

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

BPS Telephone Company, et al.,)	
)	
Complainants,)	
)	
v.)	Case No. TC-2002-1077
)	
)	
VoiceStream Wireless Corporation, et al.,)	
)	
Respondents.)	

RESPONDENTS' POSITION STATEMENT

Come now Respondents T-Mobile USA, Inc. ("T-Mobile"), and Western Wireless, Inc. ("Western"), and pursuant to the Commission's Procedural Schedule, file the statement of positions as to the parties' agreed list of issues in this proceeding. The Commission will hear these issues in the hearing scheduled for November 6 and 7, 2003.

I. Unopposed InterMTA Factors. The interMTA factors listed below were negotiated between eleven (11) Complainants and Respondent wireless carriers, and are not opposed by any party. Should the Commission adopt these factors for the purpose of determining interMTA traffic in this complaint case?

Cass County Telephone Company interMTA factor - 0%
Citizens Telephone Company interMTA factor - 0%
Fidelity Communications Services I, Inc. interMTA factor - 5%
Fidelity Telephone Company interMTA factor - 5%
Grand River Mutual Telephone Corporation interMTA factor - 6%
Green Hills Telephone Corporation interMTA factor - 0%
Holway Telephone Company interMTA factor - 0%
IAMO Telephone Company interMTA factor - 0%
Kingdom Telephone Company interMTA factor - 0%
K.L.M. Telephone Company interMTA factor - 0%
Lathrop Telephone Company interMTA factor - 0%

T-Mobile and Western support the adoption of these interMTA factors. T-Mobile and Western believe that negotiation of mutually-agreed interMTA factors is the best method to reach resolution of this issue.

II. Opposed InterMTA Factors. The interMTA factors listed below were negotiated between three (3) Complainants and Respondent wireless carriers, and are opposed by SBC Missouri. Should the Commission adopt these factors for the purpose of determining interMTA traffic in this complaint case?

BPS Telephone Company interMTA factor - 52%

Craw-Kan Telephone Cooperative, Inc. interMTA factor - 53%

Mark Twain Rural Telephone Company interMTA factor - 53%

T-Mobile and Western support the adoption of these interMTA factors. T-Mobile and Western believe that negotiation of mutually-agreed interMTA factors is the best method to reach resolution of this issue.

III. Burden of Proof. Who has the burden of proof on the interMTA factors that will be used for the purpose of determining interMTA traffic in this complaint case?

T-Mobile and Western have no position as to which party has the burden of proof on the interMTA factors.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP



Mark P. Johnson MO Bar No. 30740
4520 Main Street, Suite 1100
Kansas City, Missouri 64111
Tel: (816) 460-2400
Fax: (816) 531-7545
Email: mjohnson@sonnenschein.com

ATTORNEYS FOR T-MOBILE USA, INC., and
WESTERN WIRELESS CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail and First-Class United States mail, postage prepaid, on this 29th day of October, 2003, to the following parties:

W. R. England, III
Brian T. McCartney
Brydon, Swearingen & England, P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102-0456

Office of the General Counsel
P. O. Box 360
Jefferson City, MO 65102

Leo J. Bub, Senior Counsel
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101

Office of the Public Counsel
P. O. Box 7800
Jefferson City, MO 65102



Counsel for T-Mobile USA, Inc. and
Western Wireless Corporation