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January 17, 2000

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
301 West High Street, Floor 5A  
Jefferson City, Missouri 65101

FILED

JAN 18 2000

Missouri Public  
Service Commission

Re: Case No. TO-2000-384

Dear Judge Roberts:

Enclosed for filing with the Commission in the above-referenced case is an original and 14 copies of Southwestern Bell Telephone Company's Response.

Please stamp "Filed" on the extra copy and return the copy to me in the enclosed self-addressed, stamped envelope.

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Leo J. Bub".

Leo J. Bub

Enclosure

cc: Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

JAN 18 2000

Missouri Public  
Service Commission

Petition of BroadSpan Communications, )  
Inc., for Arbitration of Unresolved )  
Interconnection Issues Regarding )  
Collocation with Southwestern Bell )  
Telephone Company. )

Case No. TO-2000-384

**SOUTHWESTERN BELL TELEPHONE COMPANY'S  
RESPONSE**

Southwestern Bell Telephone Company, pursuant to the Missouri Public Service Commission's January 3, 2000 Order, files this Response to BroadSpan Communication, Inc.'s Petition for Arbitration.

1. Southwestern Bell generally concurs with BroadSpan that the parties modified their Interconnection Agreement on the issue of collocation through an interim agreement providing for cageless physical collocation. This interim agreement was executed by the parties in October 1999 and subsequently approved by the Commission.

2. Following the completion of the interim physical collocation agreement, the parties continued negotiations for a permanent amendment to the Collocation Appendix of their Interconnection Agreement. The deadline for requesting arbitration in these negotiations was December 24, 1999. The parties worked diligently and almost completed negotiations on the amendment to their Collocation Appendix. But as December 24 approached, a small handful of issues remained. Southwestern Bell understood that BroadSpan made its formal request for arbitration on these unresolved issues in order to preserve its arbitration window because even after BroadSpan's filing, the parties continued to negotiate.

3. Through their mutual efforts, the parties have now reached agreement on all issues pertaining to the permanent amendment to the Collocation Appendix of their

Interconnection Agreement. Counsel for BroadSpan has told Southwestern Bell that it would dismiss its request for arbitration in this case and provided a fax copy of its voluntarily dismissal (a copy of which is attached). The parties having thus resolved all issues, there is no need for Commission involvement to arbitrate this matter.

WHEREFORE, Southwestern Bell respectfully requests the Commission to dismiss this case in accordance with Petitioner BroadSpan's voluntary Notice of Dismissal.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

BY



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KATHERINE C. SWALLER	#34271

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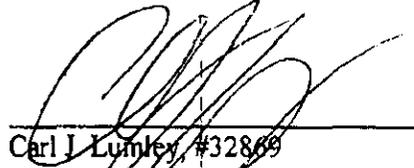
BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Petition of BroadSpan Communications, Inc.,	)	
for Arbitration of Unresolved Interconnection	)	Case No. TO-2000-384
Issues Regarding Collocation with Southwestern	)	
Bell Telephone Company.	)	

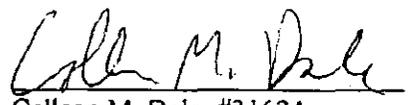
DISMISSAL

COMES NOW BroadSpan Communications, Inc. d/b/a Primary Network Communications, Inc. (PNC) and voluntarily dismisses its Petition herein pursuant to 4 CSR 240-2.116(1). The parties have resolved all the issues by agreeing to amendments to their interconnection agreement.

Respectfully submitted,



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Leland B. Curtis, #20550  
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Attorneys for BroadSpan Communications, Inc.  
d/b/a Primary Network Communications

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing was mailed this 14 day of January, 2000, by placing same in the U.S. Mail, postage paid to:

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

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
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Paul G. Lane/Leo J. Bub  
Anthony K. Conroy/Katherine C. Swaller  
Southwestern Bell Telephone Company  
One Bell Center, Room 3536  
St. Louis, MO 63101

A handwritten signature in black ink, appearing to be 'CJP', is written over a horizontal line.

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by first-class, postage prepaid, U.S. Mail on January 18, 2000.



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Leo J. Bub

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