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July 7, 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

FILED²

JUL 07 2000

Missouri Public
Service Commission

Re: Case No. TO-2000-667

Dear Judge Roberts:

Enclosed for filing with the Commission in the above-referenced case is an original and eight copies of Southwestern Bell Telephone Company's Suggestions Concerning the Scope of the Issues.

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

Very truly yours,

Leo J. Bub / TM

Leo J. Bub

Enclosure

cc: Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

JUL 07 2000

Missouri Public
Service Commission

In the Matter of the Investigation Into)
the Effective Availability for Resale)
of Southwestern Bell Telephone)
Company's Local Plus Service by)
Interexchange Companies and)
Facilities-Based Competitive Local)
Exchange Companies)

Case No. TO-2000-667

**SOUTHWESTERN BELL TELEPHONE COMPANY'S
SUGGESTIONS CONCERNING THE SCOPE OF THE ISSUES**

Southwestern Bell Telephone Company, pursuant to the Commission's request at the June 27, 2000 prehearing, respectfully suggests that the issues to be addressed in this case should not be expanded beyond those originally designated for investigation by the Commission. In support of its Suggestions, Southwestern Bell states:

1. The Commission opened this case on its own motion and directed Staff to investigate the "effective availability" for resale of Local Plus® by interexchange carriers (IXCs) and competitive local exchange carriers (CLECs).¹ In its April 20, 2000 Order Making Southwestern Bell Telephone Company a Party and Directing Notice issued in this case, the Commission again outlined the intended scope of its investigation stating it created this case to "investigate the effective availability for resale of Southwestern Bell Telephone Company's (SWBT's) Local Plus service by interexchange carriers and facilities-based competitive local exchange companies".²

2. Southwestern Bell believes that the scope of the issues to be addressed in this case should not be expanded beyond the scope originally set by the Commission. This investigation

¹ In the Matter of Southwestern Bell Telephone Company's Proposed Tariff to Introduce a Discount on the Local Plus Monthly Rate, Case No. TT-2000-258, Report and Order, issued April 6, 2000, page 13 (Report and Order).

² In the Matter of the Investigation Into the Effective Availability for Resale of Southwestern Bell Telephone Company's Local Plus Service by Interexchange Companies and Facilities-Based Competitive Local Exchange Companies, Case No. TO-2000-667, Order Making Southwestern Bell Telephone Company a Party and Directing Notice, issued April 20, 2000, page 1.

arose out of complaints raised by AT&T during a Local Plus promotional tariff case about the process Southwestern Bell had put in place to allow IXC's to order Local Plus for resale. AT&T claimed that the ordering process was not sufficient to meet the requirement imposed by the Commission when it originally approved Local Plus to make it available for resale to CLECs and IXC's. In this case, the Commission seeks to assure itself that the process through which Southwestern Bell has made Local Plus available for resale would "allow IXC's the opportunity to resell Local Plus in a manner that is comparable to the manner in which Local Plus is resold by CLECs and in a manner that is comparable to the manner in which SWBT itself sells that service."³

3. The issues the Missouri Independent Telephone Company Group (MITG) and Small Telephone Company Group (STCG) seek to inject into this investigation are completely unrelated to the ordering process through which Local Plus is being made available to other carriers. Rather, MITG's and STCG's issues focus on who is responsible for paying them terminating compensation when Local Plus is sold by other companies (either on a resale basis or an unbundled network element basis). MITG and STCG seek to have the Commission investigate questions such as "what facilities will be used in routing this traffic for termination, what recording systems will be utilized, what recording system will be utilized, what records will be made, who will be responsible for delivering or passing such records, in integrating of such systems into existing systems in use between IXC's, CLECs and ILECs."⁴

4. Southwestern Bell believes these issues are beyond the scope of the Commission's investigation and would greatly change the focus of the case. In addition, Southwestern Bell believes that adding these issues to the investigation in this case would lead to

³ Report and Order, Page 12

⁴ MITG Application to Intervene, page 2; STCG Application to Intervene, pages 2-3.

duplication of effort, since these issues most likely will also be examined in Case No. TO-99-593.

5. While Southwestern Bell believes that MITG's and STCG's issues are beyond the scope of the Commission's investigation in this case, Southwestern Bell is not adverse to addressing those issues in the proper case. If MITG and STCG wish to raise these types of issues, Southwestern Bell believes they would be more appropriately raised in the Commission's current investigation into signaling protocols, call records, trunking arrangements and traffic measurement in Case No. TO-99-593. MITG, STCG, Southwestern Bell and various CLECs and IXC's are actively participating in that case. Any concerns about how CLECs' or IXC's Local Plus type traffic is routed and recorded, what records will be made and passed, and how terminating LECs will be compensated for that traffic should be raised there.

WHEREFORE, Southwestern Bell Telephone Company respectfully requests the Commission to confine the issues in this case to those concerning the process through which Local Plus is being made available for resale as originally outlined by the Commission when it established this investigation.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by facsimile and first-class, postage prepaid, U.S. Mail on July 7, 2000.

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