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September 27, 1999

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

SEP 28 1999

Missouri Public  
Service Commission

RE: Case No. TT-99-428, et al.

Dear Judge Roberts:

Enclosed for filing with the Missouri Public Service Commission in the above-referenced case is an original and 14 copies of Southwestern Bell Wireless's Response to Mid-Missouri Group's Motion To Compel.

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

Sincerely,

A handwritten signature in cursive script that reads "Jeanne A. Fischer".

Jeanne A. Fischer

Attachments

CC: Attorneys of Record

**FILED**

SEP 28 1999

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

Missouri Public  
Service Commission

In the Matter of Alma Telephone Company's Filing )  
To Revise its Access Service Tariff, PSC Mo No. 2 ) Case No. TT-99-428, et al.

**RESPONSE OF SOUTHWESTERN BELL WIRELESS TO  
MID-MISSOURI GROUP MOTION TO COMPEL ANSWERS  
TO DATA REQUESTS**

COMES NOW Southwestern Bell Wireless (SWBW) and hereby responds to the  
Mid-Missouri Group Motion to Compel Answers to Data Requests from Southwestern  
Bell Wireless, as follows:

1. The Mid-Missouri Group (MMG) states that it served data requests on SWBW on July 28, 1999. SWBW received these data requests in the United States mail on September 23, 1999. While the data requests and transmittal letter are dated July 28, 1999, prior to September 23, SWBW was completely unaware that MMG had submitted data requests to SWBW.
2. MMG further states in its Motion to Compel that over twenty (20) days have elapsed from the date of service of the data requests, and MMG has received no responses or objections from SWBW. SWBW certainly would have submitted timely responses and/or objections, had SWBW timely received the data requests. When a certain length of time passed without any response whatsoever from SWBW, perhaps MMG could have contacted SWBW's counsel to inquire about the silence and the delay. This would have alerted SWBW to the existence of the data requests and made both parties aware of the apparent mail failure. Upon receipt of the data requests, SWBW promptly would have started preparing responses and/or objections.

3. In addition, SWBW has not yet received in the mail MMG's Motion to Compel Answers to Data Requests from Southwestern Bell Wireless. SWBW learned that MMG had filed this Motion only through conversation with another counsel of record. Upon SWBW's request, another counsel of record faxed a copy of the Motion to Compel to SWBW on September 24, 1999. The faxed documents included the MMG Motions to Compel Responses from Southwestern Bell Wireless, Southwestern Bell Telephone Company, and AT&T Wireless. Each Motion bears a Certificate of Service indicating it was mailed, U. S. Mail, on September 14, 1999 to all attorneys of record. As of this date, September 27, 1999, SWBW has not received a copy of any of these motions by mail.
4. The data MMG requests from SWBW is not relevant, pertinent, or material to the issues in this docket. The issues concern the appropriate method of compensation between carriers for the termination of certain traffic. The data requests primarily seek information as to the quantities of such traffic. The amount of traffic exchanged really is not relevant to the issue of the proper compensation.
5. Despite overall questions of relevance, SWBW does plan to object selectively to individual requests and parts of requests and to submit responses where no objection is made. SWBW maintains that its objections and responses would be timely if submitted within twenty (20) days of September 23, 1999-- the date of receipt of the data requests. In view of the pending hearing in this matter, however, SWBW will make every effort to expedite the process and submit responses within two weeks of receipt of the data requests (by October 7, 1999).

WHEREFORE, for the foregoing reasons, SWBW respectfully requests this Commission to deny MMG's Motion to Compel Answers to Data Requests from Southwestern Bell Wireless.

Respectfully submitted,

Southwestern Bell Wireless, Inc.

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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by first-class, postage prepaid, U.S. Mail on September 27, 1999.

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