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November 25, 2002

Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**FILED<sup>3</sup>**  
**NOV 25 2002**  
Missouri Public  
Service Commission

**Re: *Northeast Missouri Rural Telephone Company and Modern  
Telecommunications Company vs. Southwestern Bell Telephone, Southwestern  
Bell Wireless Cingular), Aerial Wireless (Western Wireless), Aerial  
Communications, Inc., CMT Partners (Verizon Wireless), Sprint Spectrum LP,  
United States Cellular Corp., and Ameritech Mobile Communications, Inc.  
Case No. TC-2002-57 (CONSOLIDATED)***

Dear Mr. Roberts:

Please find enclosed for filing on behalf of United States Cellular Corporation the original plus eight copies of a corrected Reply Brief to replace the Reply Brief which was filed with your office on November 22, 2002. There were two typographical errors contained in the original Reply Brief on page one and two of wherein we referred to intraMTA traffic and should have referred to interMTA traffic.. We would respectfully request that the enclosed be substituted for that Reply Brief filed on November 22, 2002.

Thank you very much for your attention and should you have any questions, please feel free to call.

Sincerely,

HENDREN AND ANDRAE, L.L.C.

  
Keith A. Wenzel

KAW/he  
cc: Jim Naumann  
All Parties of Record  
enclosure

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

Northeast Missouri Rural Telephone Company )  
And Modern Telecommunications Company, )  
Petitioners, )

v. )

Case No. TC-2002-57, et al  
**CONSOLIDATED.**

Southwestern Bell Telephone Company, )  
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. )

**FILED<sup>3</sup>**

NOV 25 2002

Missouri Public  
Service Commission

**REPLY BRIEF**

COMES NOW, Respondent, United States Cellular Corporation, pursuant to the Commission's Order Directing Filing and in Reply to Petitioner's Initial Brief, submits the following Reply Brief.

As the Petitioners in this Complaint case, Complainants have the burden of proof of showing that the intraMTA traffic is subject to their tariffs. None of the Complainants alleged in their Amended Complaints nor presented any evidence at the hearing that traffic being terminated to them is other than intraMTA traffic.

Contrary to Petitioners' assertion, Respondent United States Cellular Corporation has not agreed that most of its traffic destined for Mid-Missouri was interMTA traffic. The factual allegations concerning wireless traffic contained in Petitioners' Amended Complaint were the same as they relate to all Respondents. No evidence was adduced at the hearing which would reflect that United States Cellular Corporation was terminating wireless traffic to Petitioners any differently than the other Respondents. Factually, there is no difference in the way United States Cellular Corporation handled the wireless traffic from the other Respondents. Respondents' evidence presented at the hearing is therefore applicable to United States Cellular Corporation in

the way it handled wireless traffic. Further, United States Cellular Corporation has filed an Answer to the Amended Complaint, a Position Statement and a Proposed Findings of Fact and Conclusions of Law wherein they did not admit or agree that most of the wireless traffic destined for mid-Missouri was interMTA traffic.

As such, this case, as a complaint case, is not an appropriate vehicle for the Commission to establish a rate for the Complainants without wireless termination service tariffs or an inter-connection agreement for intraMTA traffic originated by wireless carriers and transited by a transiting carrier for termination to the Petitioners' respective networks. Complainants are currently being compensated under a defacto bill and keep insofar as they are retaining compensation they would otherwise be obligated to pay United States Cellular Corporation for terminating intraMTA traffic to United States Cellular Corporation and they are collecting originating access on intraMTA wireless calls where they would otherwise be obligated to pay for transport and termination. The Complainants are not entitled to other compensation until they negotiate appropriate inter-connection agreements with United States Cellular Corporation.

Respectfully submitted,

HENDREN AND ANDRAE, L.L.C.

By: 

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing was mailed, first class mail, postage pre-paid, the 25 day of November, 2002 to:

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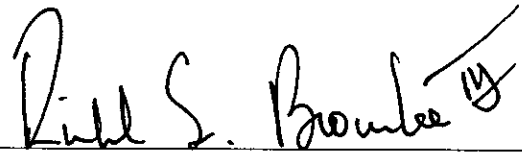
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