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October 4, 1999

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65101

FILED²
OCT 4 1999
Missouri Public
Service Commission

Re: Case Nos. TT-99-428; TT-99-429; TT-99-430; TT-99-431; TT-99-432;
and TT 99-433

Dear Judge Roberts:

Attached for filing with the Commission is the original and fifteen (15) copies of AT&T Communications of the Southwest, Inc.'s Position Statement in the above referenced matter.

I thank you in advance for your cooperation in bringing this to the attention of the Commission.

Very truly yours,

LATHROP & GAGE, L.C.

By: 
Paul S. DeFord

Attachment

cc: All Parties of Record

AT&T Communications of the Southwest, Inc.
Position Statement Case No. TT-99-428

- 1) Is the tariff proposed by MMG lawful as applied to wireless or CLEC traffic?**

No. It is not appropriate or lawful to impose access charges on local traffic. The Telecommunications Act of 1996 and FCC regulations have mandated reciprocal compensation. State Commissions are required to establish incumbent LECs rates for transport and termination of local traffic on the basis of: 1) the forward looking economic cost of such offerings using a cost study pursuant to 47 CFR Sections 51.505 and 51.511; 2) the default proxies as provided in 47 CFR Section 51.707 or 3) a bill and keep arrangement as provided in 47 CFR Section 51.713.

- 2) If lawful, should the tariff proposed by MMG be approved?**

Because the tariff, as submitted, is unlawful, it should be rejected.