

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN

312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7166
FACSIMILE (573) 634-7431

CHARLES E. SMARR
DEAN L. COOPER
MARK G. ANDERSON
TIMOTHY T. STEWART
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DALE T. SMITH
BRIAN K. BOGARD

OF COUNSEL
RICHARD T. CIOTTONE

January 3, 2001

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

Re: Case No. TO-2000-667
- Resale of Local Plus

FILED²
JAN 3 2001
Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed please find an original and eight copies of the Position Statement of the Small Telephone Company Group in above-referenced matter.

Please see that this filing is brought to the attention of the appropriate Commission personnel. Copies are today being provided to parties of record. I thank you in advance for your cooperation in this matter.

Sincerely,

Brian T. McCartney
Brian T. McCartney

BTM/da
Enclosure
cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

JAN 3 2001

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

POSITION STATEMENT OF THE SMALL TELEPHONE COMPANY GROUP

COMES NOW the Small Telephone Company Group ("STCG"), pursuant to the Missouri Public Service Commission's September 7, 2000 Order Adopting Procedural Schedule, and offers the following Statement of Position:

1. Is SWBT properly making Local Plus service available for resale to IXC's and CLECS?

SWBT must make its Local Plus service available for resale to CLECs and IXC's. In Case No. TT-98-351, the Commission stated, "In order to enable customers to obtain this type of service by using the same dialing pattern, the dialing pattern functionality should be made available for purchase to IXC's and CLECs on both a resale and an unbundled network element basis." See *Report and Order*, issued Sept. 17, 1998. However, it appears that SWBT is only making Local Plus available where SWBT provides the local switching. Thus, it does not appear that SWBT is properly making Local Plus service available for resale to IXC's and CLECs.

2. Who should be responsible for paying terminating access charges to third-party LECs when:

a. Local Plus is being offered through pure resale of SWBT's retail Local Plus offering?

All of the parties appear to agree that SWBT is responsible for the payment of terminating access charges to third-party LECs when Local Plus is offered through pure resale.

64

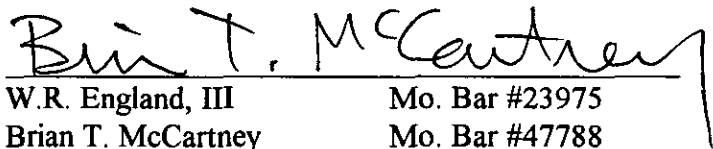
b. Local Plus is being offered through a facility-based carrier's purchase of unbundled switching from SWBT?

If a facility-based carrier must purchase unbundled switching from SWBT in order to offer Local Plus, then SWBT should be responsible for paying the terminating access charges. Facilities-based carriers should not be precluded from offering Local Plus. SWBT should be responsible for paying terminating access charges for all of its Local Plus service that is resold, regardless of whose facilities are used in provisioning the service.

c. Local Plus is being offered through a facility-based carrier's own switch?

At this point, the STCG does not have enough information about how Local Plus would be provisioned through a facility-based carrier's own switch to state a position as to whether or not SWBT should be responsible for paying terminating access charges.

Respectfully submitted,



W.R. England, III

Mo. Bar #23975

Brian T. McCartney

Mo. Bar #47788

BRYDON, SWEARENGEN & ENGLAND P.C.

312 E. Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102-0456

trip@brydonlaw.com

brian@brydonlaw.com

telephone: (573) 635-7166

facsimile: (573) 634-7431

Attorneys for the Small Telephone Company Group

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed or hand-delivered, this 3rd day of January, 2001 to:

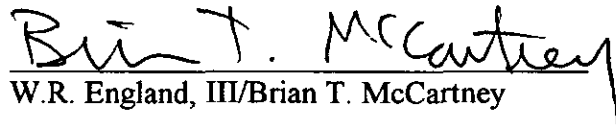
Mike Dandino
Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Bill Haas
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Paul Lane/Leo Bub/Anthony Conroy/
Mimi MacDonald
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101

Craig Johnson
Andereck, Evans, Milne, Peace & Johnson
P.O. Box 1438
Jefferson City, Missouri 65102

Brent Stewart
Stewart and Keevil
1001 Cherry Street, Suite 302
Columbia, MO 65201


W.R. England, III/Brian T. McCartney