

**ANDERECK, EVANS, MILNE, PEACE & JOHNSON, L.L.C.**

ATTORNEYS AT LAW

EUGENE E. ANDERECK  
TERRY M. EVANS  
ERWIN L. MILNE  
JACK PEACE  
CRAIG S. JOHNSON  
RODRIC A. WIDGER  
GEORGE M. JOHNSON  
BEVERLY J. FIGG  
WILLIAM S. LEWIS  
VICTOR S. SCOTT  
COREY K. HERRON  
MATTHEW M. KROHN

700 EAST CAPITOL AVENUE  
COL. DARWIN MARMADUKE HOUSE  
P.O. BOX 1438  
JEFFERSON CITY, MISSOURI 65102-1438  
TELEPHONE 573-634-3422  
FAX 573-634-7822

LANETTE R. GOOCH  
SHAWN BATTAGLER  
JOSEPH M. PAGE  
LISA C. CHASE  
JUDITH E. KOEHLER  
ANDREW J. SPORLEDER  
REBECCA L. SELLERS  
JASON A. PAULSMEYER  
BRYAN D. LADE  
CONNIE J. BURROWS  
OF COUNSEL  
MARVIN L. SHARP  
GREGORY C. STOCKARD (1904-1993)  
PHIL HAUCK (1924-1991)

January 6, 2004

Secretary of PSC  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED**

JAN 06 2004

Re: Case No. TC-2002-57

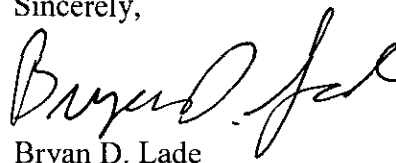
Missouri Public  
Service Commission

Dear Secretary:

Enclosed please find an original and eight copies of Mid-Missouri Telephone Company and the MITG's response to SBC Missouri's Objection to Non-unanimous Stipulation in the above cited case.

Thank you for seeing this filed. If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

  
Bryan D. Lade

Enc.

Cc: John Coffman                      Mark Johnson  
Dan Joyce                              Larry Dority  
Joe Murphy                            Bret Dublinske  
Lisa Creighton Hendricks          Ron Williams  
Leo Bub                                Dan Menser  
MITG Managers

Trenton Office  
9<sup>th</sup> And Washington  
Trenton, Missouri 64683  
660-359-2244  
Fax 660-359-2116

Springfield Office  
1111 S. Glenstone  
P.O. Box 4929  
Springfield, Missouri 65808  
417-864-6401  
Fax 417-864-4967

Princeton Office  
207 North Washington  
Princeton, Missouri 64673  
660-748-2244  
Fax 660-748-4405

Smithville Office  
119 E. Main Street  
P.O. Box. 654  
Smithville, Missouri 64089  
816-532-3895  
Fax 816-532-3899

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

**FILED**

**JAN 06 2004**

**Missouri Public  
Service Commission**

**Northeast Missouri Rural Telephone )  
Company and Modern Telecommuni- )  
cations Company, )  
Petitioners, )  
vs. )  
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, )  
Ameritech Mobile Communications, Inc. )  
Respondents. )**

**Case No. TC-2002-57**

**MID-MISSOURI TELEPHONE COMPANY & MITG'S RESPONSE  
TO SBC MISSOURI'S OBJECTION TO NON-UNANIMOUS STIPULATION**

COMES NOW the Mid-Missouri Telephone Company individually, and the MITG collectively, in response to the objection of Southwestern Bell Telephone, L.P. d/b/a SBC Missouri (SBC) to the stipulation entered into by Mid-Missouri Telephone Company (MMTC) and Sprint Spectrum, L.P. d/b/a SprintPCS (SprintPCS), and state as follows:

1. The MITG recognize SBC Missouri's right to object to this non-unanimous stipulation between MMTC and Sprint PCS. However, MMTC and the MITG question the good faith basis of SBC's objection.

2. In its objection, SBC portrays the stipulation as being "[in]sufficiently substantiated and questions the accuracy of the factor." Based upon the lack of call detail SBC provides in its CTUSR, and based upon SBC's responses to data requests in which SBC states it

lacks sufficient call detail to identify the proportions of interMTA and intraMTA traffic, it does not appear to the MITG that SBC's objection can be in good faith.

3. In the past SBC stated that the Cellular Terminating Usage Summary Report (CTUSR) "should provide the ILECs with sufficient information to render a bill."<sup>1</sup> The CTUSR has not been proven sufficient to distinguish interMTA from intraMTA traffic, as the CTUSR fails to identify the origination point of wireless calls. In addition the CTUSR apparently has failed to correctly identify the originating wireless carrier. As represented in the attached Schedule 1, the T-Mobile and Western Wireless entities now assert the CTUSR did not correctly identify the responsible wireless carrier.

4. SBC's representations have been inconsistent with their position that the factor agreed to by MMTC and Sprint PCS is "[in]sufficiently substantiated." When asked in October 2003 data requests submitted by the MITG companies, whether they possessed call detail records, traffic studies, or traffic analyses for the subject matter traffic originated by Sprint PCS and terminated to MMTC, SBC answered "no."<sup>2</sup> As SBC apparently lacks sufficient information to differentiate Sprint PCS interMTA traffic from Sprint PCS intraMTA traffic, it would appear SBC lacks sufficient information to contest the factor or proportions of traffic MMTC and Sprint PCS have stipulated to.

5. MMTC and the MITG therefore, respectfully disputes SBC's objection to this non-unanimous stipulation. This factor stipulation was negotiated in good faith. It was based upon traffic analysis done by the wireless carrier Sprint PCS, and agreed to by MMTC.

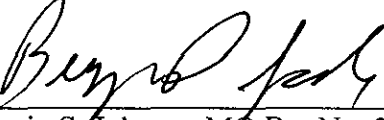
WHEREFORE, the MITG respectfully requests that SBC's request for hearing on this matter be denied.

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<sup>1</sup> Reply brief of Southwestern Bell Telephone Company. Case No. TT-97-524. pp. 12-13.

<sup>2</sup> SBC Missouri responses to MITG companies' data request number 1, request for information 48a, 48b, and 48c (Attached as Appendix 1)

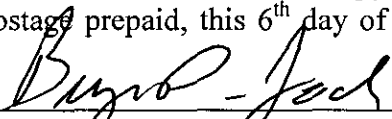
**ANDERECK, EVANS, MILNE,  
PEACE & JOHNSON, L.L.C.**

By   
Craig S. Johnson MO Bar No. 28179  
Lisa Cole Chase MO Bar No. 51502  
Bryan D. Lade MO Bar No. 55232  
The Col. Darwin Marmaduke House  
700 East Capitol  
P.O. Box 1438  
Jefferson City, MO 65102  
Telephone: (573) 634-3422  
Facsimile: (573) 634-7822  
Email: [Cjohnson@AEMPB.com](mailto:Cjohnson@AEMPB.com)  
Email: [lisachase@AEMPB.com](mailto:lisachase@AEMPB.com)  
Email: [blade@AEMPB.com](mailto:blade@AEMPB.com)

**ATTORNEYS FOR PETITIONERS**

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and accurate copy of the foregoing was hand delivered or mailed, via U.S. Mail, postage prepaid, this 6<sup>th</sup> day of January, 2004, to all parties of record in this case.

  
Bryan D. Lade

Schedule 1

**T-Mobile/VoiceStream/Aerial/Western Wireless Traffic Breakdown**

<b>MITG Company CTUSR Data</b>	<b>ACNA Code</b>	<b>Responsible Wireless Co.</b>	<b>CTUSR Reported Wireless Co.</b>	<b>Dates</b>	<b>Traffic Totals</b>
Mid-Mo	ABW	American Portable Tel. Aerial Communications VoiceStream	American Portable Tel. Aerial Communications Aerial Communications	7/97-4/98	817
				4/98-5/00	43,588
				5/00-11/00	24,267
	WCG	VoiceStream VoiceStream T-Mobile	Western Wireless VoiceStream VoiceStream	11/00-9/01	126,212
				9/01-8/02	191,307
				9/02-now	331,772
Chariton Valley	ABW	Aerial Communications	Aerial Communications	4/98-5/00	67,390
	WCG	VoiceStream	Aerial Communications	5/00-11/00	29,607
		VoiceStream	Western Wireless	11/00-9/01	117,242
		VoiceStream T-Mobile	VoiceStream VoiceStream	9/01-8/02 8/02-now	182,342 269,047
Alma	ABW	American Portable Tel.	American Portable Tel.	11/97-4/98	858
	WCG	Aerial Communications	Aerial Communications	4/98-5/00	31,788
		VoiceStream	Aerial Communications	5/00-11/00	12,473
		VoiceStream	Western Wireless	11/00-9/01	52,352
		VoiceStream T-Mobile	VoiceStream VoiceStream	9/01-8/02 8/02-now	89,910 133,623
Choctaw	WCG	VoiceStream	Western Wireless	11/01-4/02	225
		VoiceStream	VoiceStream	4/02-8/02	4231
		T-Mobile	VoiceStream	8/02-now	13,009

**Schedule 1**

<b>MITG Company CTUSR Data</b>	<b>ACNA Code</b>	<b>Responsible Wireless Co.</b>	<b>CTUSR Reported Wireless Co.</b>	<b>Dates</b>	<b>Traffic Totals</b>
MoKan	ABW	American Portable Tel.	American Portable Tel.	2/98-4/98	5,213
		Aerial Communications	Aerial Communications	4/98-5/00	117,922
	WCG	VoiceStream	Aerial Communications	5/00-11/00	37,036
		VoiceStream	Western Wireless	11/00-9/01	106,405
		VoiceStream	VoiceStream	9/01-8/02	86,254*
		T-Mobile	VoiceStream	8/02-now	260,528
	PCF	Western Wireless	Western Wireless	6/02-8/02	1791
NEMRT	ABW	American Portable Tel.	American Portable Tel.	2/98-4/98	125
		Aerial Communications	Aerial Communications	4/98-5/00	14,097
	WCG	VoiceStream	Aerial Communications	5/00-11/00	7,252
		VoiceStream	Western Wireless	11/00-9/01	29,200
		VoiceStream	VoiceStream	9/01-9/02	46,577(9/02)
		T-Mobile	VoiceStream	9/02-9/03	144,992(9/03)
Modern	ABW	American Portable Tel.	American Portable Tel.	2/98-4/98	627
		Aerial Communications	Aerial Communications	4/98-5/00	5,817
		VoiceStream	Aerial Communications	5/00-11/00	4502
	WCG	VoiceStream	Western Wireless	11/00-9/01	26,604
		VoiceStream	VoiceStream	9/01-Sum. 02	23,665(4/02)

**Shaded rows indicate discrepancies between the company responsible for the traffic reported on the CTUSR and the company reported on the CTUSR as provided by SWBT.**

## APPENDIX 1

Q. FOR SUBJECT MATTER TRAFFIC ORIGINATED BY SPRINT SPECTRUM,  
L.P. AND TERMINATED TO MID-MISSOURI TELEPHONE COMPANY,  
PLEASE STATE THE FOLLOWING:

A. DO YOU POSSESS CALL DETAIL FOR SUCH TRAFFIC?

A. No.

Responsible Person: Benton E. Kelley  
Product Manager-Wireless  
Four SBC Plaza, Room 1230.07  
Dallas, TX 75202



Q. FOR SUBJECT MATTER TRAFFIC ORIGINATED BY SPRINT SPECTRUM,  
L.P. AND TERMINATED TO MID-MISSOURI TELEPHONE COMPANY,  
PLEASE STATE THE FOLLOWING:

B. DO YOU POSSESS TRAFFIC STUDIES FOR SUCH TRAFFIC?

A. No.

Responsible Person: Benton E. Kelley  
Product Manager-Wireless  
Four SBC Plaza, Room 1230.07  
Dallas, TX 75202

Q. FOR SUBJECT MATTER TRAFFIC ORIGINATED BY SPRINT SPECTRUM,  
L.P. AND TERMINATED TO MID-MISSOURI TELEPHONE COMPANY,  
PLEASE STATE THE FOLLOWING:

C. DO YOU POSSESS TRAFFIC ANALYSES FOR SUCH TRAFFIC?

A. No.

Responsible Person: Benton E. Kelley  
Product Manager-Wireless  
Four SBC Plaza, Room 1230.07  
Dallas, TX 75202