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April 9, 2004

Via Federal Express

Mr. Dale Hardy Roberts
Executive Secretary
MISSOURI PUBLIC SERVICE COMMISSION
200 Madison Street, Suite 100
Jefferson City, Missouri 65102-0360

FILED²

APR 12 2004

**Missouri Public
Service Commission**

RE: Case No. TC-2002-57, et al.

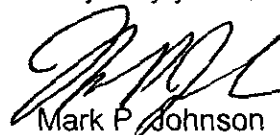
Dear Mr. Roberts:

Please find enclosed for filing the original and 8 copies of the Position Statements of Respondents T-Mobile USA, Inc., and Western Wireless Corporation.

A copy of the enclosed Position Statements have been served on all parties of record via electronic mail.

Thank you for your attention to this matter. Please give me a call if you have any questions.

Very truly yours,


Mark P. Johnson

MPJ/rgr
Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED²

APR 12 2004

Missouri Public
Service Commission

Northeast Missouri Rural Telephone Company
And Modern Telecommunications Company,

Petitioners,

v.

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.

Case No. TC-2002-57, et al
consolidated.

**POSITION STATEMENTS OF RESPONDENTS T-MOBILE USA, INC, AND
WESTERN WIRELESS CORPORATION**

Come now Respondents T-Mobile USA, Inc., and Western Wireless Corporation, and
provide their positions as to the issues outlined by the parties in their filing of April 2, 2004.

I. Unopposed InterMTA Factors

- a. The Commission should adopt the factors listed in I(a).
- b. The Commission should adopt the factors listed in I(b).

II. Contested InterMTA Factors

The Respondents do not believe that the credible evidence supports the factors proposed
by the Complainants and Staff. The evidence on which they rely is flawed and insufficient to
support a reliable measurement of the interMTA-intraMTA traffic split. First, the method by
which the Complainants attempt to arrive at an interMTA factor, using comparisons based on the
originating phone number, ignores the mobile nature of the traffic on the Respondents' networks.

The Complainants continue to apply traditional wireline, stationary call rating methodologies to wireless, mobile traffic.

Second, the traffic data proffered by the Complainants is highly suspect. Chariton Valley has acknowledged that its traffic totals were off by a factor of ten,¹ and the traffic data for T-Mobile and Western were merged, even though the two companies had not been affiliated for several years prior to the traffic study. Chariton Valley and Northeast Missouri Rural recommend identical factors for Western Wireless and T-Mobile, ignoring the fact that these companies have entirely different footprints, networks, and customers.

The Respondents believe that the parties should negotiate these allocations, as the Complainants and several wireless carriers have already done. Numerous fact-specific elements must be discussed in conjunction with more subjective factors necessitated not only by the lack of historical empirical data on interMTA traffic but also because the interMTA factor will be applied going forward as a proxy for future, constantly changing, traffic patterns.

III. Burden of Proof

The Complainants are responsible for prosecuting their case, and that includes that they bear the burden of proof. They must prove their claims against the Respondents through the introduction and admission of substantial, credible evidence which clearly demonstrates the merit of their claims, for amounts allegedly owed for conduct prior to the hearing and for amounts to be paid for traffic after the hearing.

¹ William Biere Surrebuttal at 6.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

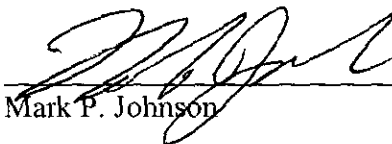


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ATTORNEYS FOR T-MOBILE USA, INC. and
WESTERN WIRELESS CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail on all parties of record on this 9th day of April, 2004.


Mark P. Johnson