

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

In the Matter of Southwestern Bell Telephone)	Case No. TT-2002-472
Company's Tariff Filing to Initiate Residential)	Tariff No. 200200831
Customer Winback Promotion)	

In the Matter of Southwestern Bell Telephone)	Case No. TT-2002-473
Company's Tariff Filing to Initiate Business)	Tariff No. 200200828
Customer Winback Promotion)	

**SOUTHWESTERN BELL TELEPHONE COMPANY'S RESPONSE TO
PROPOSED LIST OF ISSUES FILED ON BEHALF OF NUVOX COMMUNICATIONS
OF MISSOURI, INC., MCIMETRO ACCESS TRANSMISSION SERVICES, L.L.C.,
BROOKS FIBER COMMUNICATIONS OF MISSOURI, INC. AND
MCI WORLDCOM COMMUNICATIONS INC.**

Comes now Southwestern Bell Telephone, L.P., d/b/a Southwestern Bell Telephone Company, and for its Response to Proposed List of Issue Filed on Behalf of NuVox Communications of Missouri, Inc. ("NuVox"), MCImetro Access Transmission Services, L.L.C. ("MCImetro"), Brooks Fiber Communications of Missouri, Inc. ("Brooks"), and MCI WorldCom Communications ("MCIWC"), Inc., states as follows:

1. On August 8, 2002, NuVox, MCImetro, Brooks, and MCIWC filed their Proposed List of Issues.
2. While SWBT does not object to Proposed Issue Numbers 1 and 2 as proposed by NuVox, MCImetro, Brooks, and MCIWC, SWBT adamantly objects to Proposed Issue Number 3 as it is beyond the scope of the docket as established by the Missouri Public Service Commission ("Commission"). In its Order Further Suspending Tariff and Directing Notice, TT-2002-472, April 18, 2002, the Commission stated: "the Commission has decided to further suspend SWBT's tariff, as permitted by Section 392.230.3 RSMo. 2000, to allow the Commission an opportunity to determine whether it will also have an adverse effect on

competition." The Commission included this same language in its Order Further Suspending Tariff and Directing Notice, Case No. TT-2002-473, April 18, 2002, which have since been consolidated.

3. Quite simply, this proceeding was established to consider whether two specific promotional tariffs proposed by SWBT should be approved. This proceeding is not a general examination of SWBT's marketing, pricing, or operational practices. Nor is it a proceeding to consider a proposed rule concerning winback offers which would apply equally to all local exchange carriers ("LECs"). Nowhere in any of the Commission's orders has it indicated that this docket was opened to investigate SWBT's winback and retention practices, including but not limited to SWBT's alleged use of CPNI and wholesale disconnect information. Further, SWBT does not even have a retention tariff at issue in this proceeding. While the CLECs may desire such a proceeding, they may not unilaterally expand the scope of this docket beyond the scope established by the Commission.

4. It is SWBT's understanding that Staff is proposing an order of witnesses to appear on each day of the hearing as follows:

- a. August 24th, 2002
 1. John Regan, Jr.
 2. Thomas F. Hughes
 3. Christopher C. Thomas
 4. Barbara A. Meisenheimer
- b. August 25, 2002
 1. Don Price
 2. R. Matthew Kohly.

SWBT does not object to Staff's proposed order of witnesses to appear on each day of the hearing at this time. SWBT notes, however, that it may have a third witness who may file Surrebuttal Testimony. In the event that this occurs, SWBT anticipates that that witness will testify first. Further, if SWBT does not have a third witness testify, SWBT reserves the right to change its order of witnesses.

6. Finally, it is SWBT's understanding that the Staff is proposing an order of cross-examination for each witness which generally follows the order of witnesses, with the exception that SWBT conducts cross-examination last for all witnesses. SWBT does not object to Staff's proposed order of cross-examination.

Wherefore, Southwestern Bell Telephone, L.P., d/b/a Southwestern Bell Telephone Company prays the Commission order that the List of Issues include Issue Numbers 1 and 2 as proposed by NuVox, MCImetro, Brooks, and MCIWC, but strike Issue Number 3 as proposed by NuVox, MCImetro, Brooks, and MCIWC as Issue Number 3 is beyond the scope of this docket, together with any additional and further relief the Commission deems just and proper.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

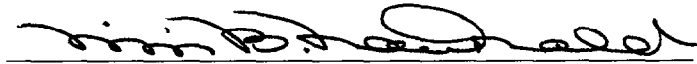
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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail and first-class, postage prepaid, U.S. Mail or via hand-delivery on August 13, 2002.



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