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March 2, 2004

FILED

MAR 02 2004

Missouri Public
Service Commission

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: Case No. TO-2004-0207

Dear Judge Roberts:


It has come to my attention that the exhibit for John M. Ivanuska's rebuttal testimony was inadvertently omitted from yesterday's filing. Please find enclosed the original and five copies of Exhibit 1. I am providing this exhibit by e-mail to the parties of record. I am sorry for any inconvenience this oversight may have caused.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel
General Counsel's Office
Jason Wakefield
Counsel of record

Subject: FW: Birch Missouri L/T rebuttal - Ex. 1

-----Original Message-----

From: RENTSCHLER, TERESA A (SWBT) [mailto:tr2832@sbcb.com]
Sent: Friday, February 20, 2004 4:49 PM
To: Jewell, Deborah
Subject: FW: Follow Up: Elimination of Unbundled Interoffice Transport
for

Deb-

SBC values Birch as a customer, and hopes to continue serving you.
However,
at this time, we are working to develop a specific product to replace
the
UNE interoffice transport (and unbundled local switching) that may be
eliminated in certain areas. We anticipate that any future
"replacement"
product for interoffice transport would be at a higher price point than
it
is currently.

Because we value our relationship, if you have a proposal that you would
like to present to SBC for consideration, we would be interested in
reviewing such. At this time, SBC is not in a position to make a
proposal
for a UNE replacement product for interoffice transport (or switching).

We appreciate your inquiry. SBC is interested in developing commercial
arrangements going forward. However, we are not prepared to make a
proposal
to you at this juncture.

Thanks,
TR

> -----Original Message-----

> From: RENTSCHLER, TERESA A (SWBT)
> Sent: Wednesday, February 18, 2004 9:50 AM
> To: 'Jewell, Deborah'
> Subject: RE: Follow Up: Elimination of Unbundled Interoffice
> Transport for the Mass Market
>

> Deb-

> I am consulting with Industry Markets' leadership team regarding this
> request. I am hoping to be able to give you further feedback some
time
> next week.

>
> Thanks,
> TR
>

> -----Original Message-----

> From: Jewell, Deborah [mailto:DJewell@birch.com]
> Sent: Tuesday, February 17, 2004 2:08 PM
> To: RENTSCHLER, TERESA A (SWBT)
> Subject: Follow Up: Elimination of Unbundled Interoffice Transport
> for the Mass Market
>

> Teresa:

>
> Just following up on your response dated 1/23/04 @ 9:59a.... Does SBC
> plan to offer a proposal to Birch/Ionex in an attempt to retain this
> portion of our business or should we proceed, assuming SBC will not be
> attempting to retain our business?
>
> -----Original Message-----
> From: Jewell, Deborah
> Sent: Wednesday, January 21, 2004 2:47 PM
> To: 'Rentschler, Teresa'
> Subject: Elimination of Unbundled Interoffice Transport for the Mass
> Market
>
> Teresa:
>
> As part of the state impairment hearings, SBC is not only supporting
> the
> elimination of unbundled local switching, but is actively submitting
> lists
> of interoffice transport routes that should be delisted (or removed as
> unbundled offerings). Such a delisting will be particularly impacting
> to
> the EELs SBC currently offers. While Birch/Ionex does not concede
> that
> all the routes SBC is submitting will be removed as UNE offerings, we
> are
> approaching the issue with prudence and are developing contingency
> plans
> that will ultimately allow us to secure interoffice transport at more
> economical rates.
>
> I'm sharing this information with you because Birch/Ionex would like
> to
> give SBC the opportunity to retain some portion of the revenue it
> currently derives from Birch/Ionex in the transport area. To that
> end, I
> invite you to submit a proposal for the provision of interoffice
> transport
> (as well as local switching, if you have interest), assuming a future
> state of some degree of delisted transport . Because the revision of
> rules surrounding mass market transport is on a nine month clock and
> the
> state commissions are targeting a July decision, I encourage SBC to
> respond quickly should it want to be considered as a future
> Birch/Ionex
> transport vendor.
>
> If you have any questions or would like to discuss this opportunity
> future, please call me.
>
> << OLE Object: Picture (Metafile) >>
> Deborah Jewell
> Carrier Relations Manager
> Birch Telecom
> Office: 816-300-3286
> Mobile: 913-226-7166
> djewell@birch.com
>