

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

In the Matter of the Application of NuVox)
Communications of Missouri, Inc. for an)
Investigation into the Wire Centers that AT&T) Case No. TO-2006-0360
Missouri Asserts are Non-Impaired Under the)
TRRO)

**ISSUES LIST, LIST OF WITNESSES, ORDER OF
OPENING STATEMENTS, WITNESSES AND CROSS-EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission, on behalf of all parties to the case, and states:

1. On March 8, 2007, the Commission issued an order Granting Motion And Adopting Procedural Schedule which, *inter alia*, directs the parties to file, no later than May 1, an Issues List, List of Witnesses, Order of Opening Statements, Witnesses and Cross-Examination.

2. The parties propose the following issues:

A. Business Line Count Issues:

- (1) Should the Business Line count include all UNE-L lines or only UNE-L lines used to provide switched service to business end users?
- (2) Should the Business Line Count for digital UNE-L be based on the loop's capacity or on the loop's usage?
- (3) On what vintage of data should the Business Line counts supporting the wire center designations rely?

B. Fiber-Based Collocator Issues:

- (1) Does the definition of Fiber-based Collocator include collo-to-collo arrangements in which the connecting carrier establishes service without providing optronics for fiber that leaves the wire center?

(2) How should the term "comparable transmission facility" be defined?

(3) Should NuVox be counted as a Fiber-based Collocator in the locations specified by AT&T Missouri?

C. In March 2005, AT&T Missouri identified fourteen wire centers (Hiland, Westport, McGee, Springfield McDaniel, Springfield Temple, Chestnut, Jefferson, Ladue, Creve Coeur, Springfield Tuxedo, Parkview, Prospect, Kirkwood, and Bridgeton) as Tier 1 wire centers. The non-impairment criteria for dedicated interoffice transport facilities for a Tier 1 wire center is that the wire center has at least four fiber-based collocators or at least 38,000 business access lines, or is a tandem switching location with no line-side switching facilities but serving as a point of traffic aggregation accessible by CLECS. Did AT&T Missouri correctly identify these fourteen wire centers as non-impaired under the Tier 1 wire center criteria for dedicated interoffice transport facilities?

D. As a result of a merger commitment associated with the SBC/AT&T merger, in December 2005, AT&T Missouri re-classified five of these wire centers (Springfield Tuxedo, Parkview, Prospect, Kirkwood and Bridgeton) as Tier 2 wire centers. The non-impairment criteria for dedicated interoffice transport facilities for a Tier 2 wire center is that the wire center has at least three fiber-based collocators or at least 24,000 access lines. Has AT&T Missouri correctly identified these five wire centers as non-impaired under the Tier 2 wire center criteria for dedicated interoffice transport facilities?

E. In March 2005, AT&T Missouri identified three wire centers (McGee, Chestnut and Ladue) as non-impaired for DS3 capacity loops. The non-impairment criteria for DS3 capacity loops is that the wire center has at least four collocators and at least 38,000

business lines. Did AT&T correctly identify these three wire centers as non-impaired under the criteria for DS3 capacity loops?

F. Should the Commission approve a separate wire center list applicable to the period between March 2005 and December 2005?

3. The parties propose the following order of opening statements: AT&T, Staff, OPC, CLEC Coalition.

4. The parties propose the following order of witnesses and cross-examination:

<u>Witness</u>	<u>Order of Cross-Examination</u>
Marvin Nevels (AT&T)	Staff, OPC, CLEC Coalition
Carol Chapman (AT&T)	Staff, OPC, CLEC Coalition
Michael Scheperle (Staff)	OPC, AT&T, CLEC Coalition
Joseph Gillan (CLEC Coalition)	OPC, Staff, AT&T

WHEREFORE, the Staff proposes the above lists on behalf of all the parties.

Respectfully submitted,

/s/ William K. Haas

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 1st day of May 2007.

/s/ William K. Haas