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

Southwestern Bell Telephone, L. P., d/b/a SBC Missouri's ) Petition for Compulsory Arbitration of Unresolved Issues ) For a Successor Interconnection Agreement to the Missouri 271 Agreement ("M2A")

Case No. TO-2005-0336

# **DISPUTED POINTS LIST OF THE PAGER AND PHONE COMPANY**

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Comes now The Pager Company, dba the Pager and Phone Company ("Pager"), by its undersigned counsel, and pursuant to the Commission's Procedural Schedule, files its Disputed Points List with SBC, stating the following.

According to the Commission's Procedural Schedule, the parties were to file 1. Joints DPLs no later than May 2, 2005.

2. Representatives of SBC have been negotiating with the CEO of Pager as late as April 26, 2005, and have not fully responded to certain proposals put forward by Pager.

3. Given the state of negotiations, Pager could not prepare its portion of the DPL until late during the week of April 25. However, in light of the deadline of May 2 for the filing of the DPL, counsel drafted Pager's entries for the DPL of the General Terms and Conditions of the interconnection agreement and delivered same to SBC on May 2.

4. Counsel for SBC has stated that SBC is not prepared to file the DPL as a joint DPL with Pager. Thus, to preserve its position in this proceeding, Pager is filing the DPL in its present form. Pager anticipates that further negotiations with SBC may obviate the need for its participation in this arbitration, but believes that filing the DPL at this point is necessary to preserve its options. The DPL is attached as Exhibit 1.

Wherefore, Pager respectfully files its DPL for arbitration before the Commission.

Respectfully submitted,

#### SONNENSCHEIN NATH & ROSENTHAL LLP

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## ATTORNEYS FOR THE PAGER COMPANY

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was served electronically and mailed, postage prepaid, this 2nd day of May, 2005, to:

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