

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN

312 EAST CAPITOL AVENUE
P.O. BOX 456
JEFFERSON CITY, MISSOURI 65102-0456
TELEPHONE (573) 635-7186
FACSIMILE (573) 634-7431
E-MAIL: WREBSE@AOL.COM

CHARLES E. SMARR
DEAN L. COOPER
MARK G. ANDERSON
TIMOTHY T. STEWART
GREGORY C. MITCHELL
RACHEL M. CRAIG
BRIAN T. McCARTNEY
DALE T. SMITH

OF COUNSEL
RICHARD T. CIOTTONA

February 24, 2000

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102

FILED²

FEB 24 2000

Missouri Public
Service Commission

Re: Case No. TO-2000-16

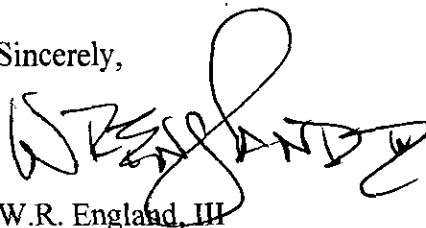
Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter, please find an original and fourteen copies of the following documents:

1. Response of the Small Telephone Company Group to Staff's Report Regarding Status of the Case and Notice Regarding the Filing of a Stipulation.
2. Concurrence of the Small Telephone Company Group in the Withdrawal of Motion, Consent to Dismissal of Docket, Without Prejudice filed by the Missouri Independent Telephone Company Group.

Please see that these filings are brought to the attention of the appropriate Commission personnel. Copies of the enclosed documents are being provided to counsel of record. I thank you in advance for your cooperation in this matter.

Sincerely,



W.R. England, III

WRE/da
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

FEB 24 2000

Missouri Public
Service Commission

In the matter of the Motion to Establish a)
Docket Investigating the IntraLATA Toll)
Service Provisioning Practices of Missouri)
Interexchange Carriers, Public Utility or) Case No. TO-2000-16
Common Carrier Duties of Interexchange)
Carriers, Motion to Show Cause, Request for)
Emergency Hearing, and Alternative Petition)
for Suspension and Modification.)

**Response of the Small Telephone Company Group
to Staff's Report Regarding Status of the Case and Notice Regarding
the Filing of a Stipulation**

Comes now the Small Telephone Company Group (STCG) and for its Response to Staff's Report Regarding Status of the Case and Notice Regarding the Filing of a Stipulation states to the Missouri Public Service Commission (Commission) as follows:

1. On or about February 10, 2000, Staff filed its Report Regarding Status of the Case and Notice Regarding the Filing of a Stipulation (Report) in the above-referenced matter. In its Report, Staff noted that the Missouri Independent Telephone Company Group (MITG) filed a motion that lead to the establishment of this docket. In addition, the Staff correctly noted that the STCG had filed a concurrence in MITG's motion to establish docket. Now that the MITG has filed its Withdrawal of Motion, Consent to Dismissal of Docket, Without Prejudice, Staff recommends that this docket should not be closed without the consent of the STCG.

Accordingly, concurrent with the filing of this response, the STCG is filing its Concurrence in the MITG's Withdrawal of Motion, Consent to Dismissal of Docket, Without Prejudice.

2. The Staff also noted in its Report that the MITG had committed to prepare and circulate a stipulation of facts to the other parties. The Staff then incorrectly states that the MITG has not prepared such a draft stipulation of facts. That is not the case. On December 17,

1999, the MITG prepared a Stipulation of Facts and forwarded same to parties of record (a copy of the cover letter, without the proposed Stipulation of Facts, is attached hereto as Appendix A). The STCG believes that it is appropriate to correct this erroneous statement because it leaves the impression that the MITG (and possibly the STCG) are not interested in the matters and issues raised by the initial Motion to establish docket. That is clearly not the case. In fact, the STCG remains very concerned with the way all interexchange carriers (not just AT&T) operate in the state, but the STCG also recognizes that the instant docket, which appears to be focused only on AT&T, may not be the appropriate docket for addressing these issues on an industry-wide basis.

Respectfully submitted,



W.R. England, III Mo. Bar 23975
Brydon, Swearengen & England, III
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
(573) 635-7166
(573) 634-7431/Fax

Attorneys for STCG

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 24 day of February, 2000.

A handwritten signature in black ink, appearing to read "W. R. ...", is written over a horizontal line. The signature is stylized and cursive.

Case No. TO-2000-16
Certificate of Service List

Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Paul S. DeFord
Lathrop & Gage
2345 Grand Blvd., Suite 2800
Kansas City, MO 64108-2684

Paul G. Lane/Leo J. Bub
Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, MO 63101

Marcy Greene
Assistant General Counsel
Excel Communications Inc.
1133 Connecticut Ave., N.W., Suite 750
Washington, D.C. 20036

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Craig S. Johnson
Andereck, Evans, Milne, Peace & Baumhoer
P.O. Box 1438
Jefferson City, MO 65102

Peter Mirakian, III
Spencer Fane Britt & Browne LLP
1000 Walnut Street, Suite 1400
Kansas City, MO 64106-2140

ANDERECK, EVANS, MILNE, PEACE & BAUMHOER
ATTORNEYS AT LAW

305 EAST McCARTY STREET

P.O. BOX 1438

JEFFERSON CITY, MISSOURI 65102-1438

TELEPHONE 573-634-3422

FAX 573-634-7822

EUGENE E. ANDERECK

TERRY M. EVANS

ERWIN L. MILNE

JACK PEACE

PATRICK A. BAUMHOER

CRAIG S. JOHNSON

RODRIC A. WIDGER

GEORGE M. JOHNSON

BEVERLY J. FIGG

WILLIAM S. LEWIS

VICTOR S. SCOTT

LESLEY A. RENFRO

CORRY K. HERRON

MATTHEW M. KROHN

LANETTE K. GOOCH

LORI A. KOWALSKI

ROB TROWBRIDGE

MARVIN L. SHARP

OF COUNSEL

GREGORY C. STOCKARD (1964-1993)

PHIL HAUCK (1924-1991)

December 17, 1999

Mike Dandino
Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
Fax: (573) 751-5562

Keith Krueger,
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
Fax: 751-9285

W.R. England, III/Sondra B. Morgan
312 E. Capitol Ave.
P.O. Box 456
Jefferson City, MO 65102
Fax: (573) 635-0427

Paul S. DeFord
2345 Grand Boulevard, Suite 2800
Kansas City, MO 64108-2684
Fax: (816)-292-2001

Paul G. Lane/Leo J. Bub/Anthony K. Conroy
Katherine C. Swaller
One Bell Center, Room 3518
St. Louis, MO 63101
Fax: (314) 331-2193

Peter Mirakian, III
Spencer Fain Britt & Browne, LLP
1000 Walnut Street, Suite 1400
Kansas City, MO 64106-2140
Fax: (816)-474-3216

Marcy Greene, Assistant General Counsel
Excel Communications, Inc.
1133 Connecticut Ave., N.W. Suite 750
Washington, D.C. 20036
By Regular Mail, as fax number unknown

Linda K. Gardner
Sprint
5454 W. 110th Street
Overland Park, KS 66211
Fax: (913) 345-7568

Re: TO-2000-16

Dear Counsel:

I have reviewed Commission's December 7 Order rejecting the previously submitted procedural schedule. Although I am not sure of the impact that Order has on the tentative schedule we developed, I am attempting to meet the schedule we developed, and enclose an initial draft of a Stipulation.

I would appreciate your comments or suggested changes.

Thank you for your attention.

Appendix A

TRENTON OFFICE
9th AND WASHINGTON
P.O. BOX 547
TRENTON, MISSOURI 64783-0547
566-359-2244
FAX 663-359-2116

SPRINGFIELD OFFICE
1111 S. GLENSTONE
P.O. BOX 3929
SPRINGFIELD, MISSOURI 65808-4929
417-894-0401
FAX 417-894-4907

PRINCETON OFFICE
307 NORTH WASHINGTON
PRINCETON, MISSOURI 64671
663-748-2244
FAX 663-748-4403

SMITHVILLE OFFICE
100 E. MAIN STREET
P.O. BOX 652
SMITHVILLE, MISSOURI 64089
816-332-3895
FAX 816-332-2899

Sincerely,

A handwritten signature in black ink, appearing to read 'C. S. Johnson', with a long horizontal flourish extending to the right.

Craig S. Johnson

CSJ/ksw