

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

In the Matter of Level 3 Communications, )	
LLC's Tariff Filing to Introduce Revised )	Case No. TT-2011-0324
Tariff Pages For Its Access Services Tariff, )	Tariff No. JX-2011-0488
Mo. P.S.C. Tariff No. 4. )	

**THE AT&T COMPANIES' REPLY**

The AT&T Companies,<sup>1</sup> pursuant to the Commission's April 20, 2011 Order Directing Expedited Filings, respectfully submit this reply to Level 3 Communications, LLC's April 22, 2011 Response:

1. Contrary to Level 3's claim, the AT&T Companies do not object to Level 3's desire to employ "more modern and efficient devices" in its network.<sup>2</sup> To the contrary, the AT&T Companies generally support the deployment of the most efficient available technology to provide access services, as the cost savings from such efficiencies should lead to the reduction in rates charged to interexchange carrier customers.

2. Rather, the AT&T Companies' objection focuses on the vagueness Level 3 seeks to inject into its current, industry standard, definition of "end office." As Level 3's current tariff makes clear, the function of the end office element is to interconnect station loops to each other or to trunks:

End Office: The term "end office" denotes the switching system office or serving wire center where Customer station loops are terminated for purposes of interconnection to each other and/or to trunks.<sup>3</sup>

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<sup>1</sup> AT&T Communications of the Southwest, Inc. will be referred to in this pleading as "AT&T Communications" and Southwestern Bell Telephone Company, d/b/a AT&T Missouri, will be referred to in this pleading as "AT&T Missouri," collectively, "the AT&T Companies."

<sup>2</sup> Level 3 Response, p. 5.

<sup>3</sup> Level 3 Communications, LLC Missouri P.S.C. Tariff No. 4, Section 1, Second Revised Page 6, issued effective December 14, 2007.

As this definition and Level 3's diagram on original page 60 of its current tariff<sup>4</sup> illustrates, it is only the carrier with the end user relationship, i.e., that charges the end user for Customer station loops, that bills the end office local switching charge.

3. Here, Level 3 adds vague and undefined language to what was a clear, functional, and well-understood definition:

End Office: The term "end office" denotes the switching system office or serving wire center (or functionally equivalent or analogous facilities) where Customer station loops (or functionally equivalent or analogous facilities) are terminated or otherwise connected to the Company's facilities or services for purposes of interconnection to each other and/or to trunks.<sup>5</sup>

4. Nowhere in the proposed tariff does Level 3 define or explain what constitutes:

- a "functionally equivalent or analogous" switching system office or serving wire center;
- a "functionally equivalent or analogous" customer station loop; or
- being "otherwise connected to the company's facilities or trunks."

5. The AT&T Companies are concerned that Level 3 may be intending this definitional change to allow it to impose end office local switching charges when it switches an IXC's long distance call to another carrier, such as a VoIP provider. In that situation, Level 3 would be imposing end office switching (for connecting a station loop to an IXC's trunk) even when it does not provide a loop (i.e., it would not be switching or connecting a station loop to an IXC's trunk).

6. Level 3 spends considerable time in its response discussing the evolution of switch technology and the need to update its tariff language. But Level 3 fails to explain what this new language means, its intent in proposing it, or how Level 3 intends to apply it. If Level 3

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<sup>4</sup> A copy of Level 3's Call Flow Diagram is appended as Attachment 1.

<sup>5</sup> Level 3 Communications, LLC Missouri P.S.C. Tariff No. 4, Section 1, Third Revised Page 6, issued March 30, 2011 (underline indicates new language).

wishes to impose end office access charges, such as those for local switching, it should first be required to provide more information about the specific functions encompassed in its new definition and how it proposes to bill for them. With such information, the Commission would be in a position to determine whether the rates Level 3 would bill for such services are just and reasonable under the circumstances.

WHEREFORE the AT&T Companies respectfully request the Commission to suspend and investigate Level 3's proposed tariff filing.

Respectfully submitted,

AT&T COMMUNICATIONS SOUTHWEST, INC.; AND  
SOUTHWESTERN BELL TELEPHONE COMPANY,  
D/B/A AT&T MISSOURI

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**CERTIFICATE OF SERVICE**

Copies of this document were served on the following parties by e-mail on April 25, 2011.

  
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