

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

Northeast Missouri Rural Telephone Company)
and Modern Telecommunications company,)

Petitioners)

v.)

Southwestern Bell Telephone Company,)
Southwestern Bell Wireless (Cingular),)
Voicestream Wireless (Western Wireless), Aerial)
Communications, Inc., CMT Partners (Verizon)
Wireless), Sprint Spectrum LP, United States)
Cellular Corp., and Ameritech Mobile)
Communications, Inc.)

Respondents)

Case No. TC-2002-57

**SBC MISSOURI'S
POSITION STATEMENT**

SBC Missouri¹ pursuant to the Missouri Public Service Commission's October 23, 2003
Order Adopting Procedural Schedule, respectfully submits SBC Missouri's position on the
following issues presented to the Commission for resolution in this case:

I. UNOPPOSED INTERMTA FACTORS.

- a. The interMTA factors listed below were negotiated and agreed to between
the respective parties and are not opposed by any party. Should the
Commission adopt these factors for the purpose of determining interMTA
traffic in this Complaint case?
 - 1. Mid-Missouri Tel. Co. and Sprint PCS - Stipulated Factor 43%
 - 2. Alma Tel. Co and Sprint PCS -Stipulated Factor 10%
 - 3. MoKan Dial, Inc. and Sprint PCS -Stipulated Factor 0%
 - 4. Alma Tel. Co and Western Wireless -Stipulated Factor 2.5%
 - 5. MoKan Dial, Inc. and Western Wireless -Stipulated Factor 2.5%

SBC Missouri Position: SBC Missouri does not contest these factors.

¹ Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as "SBC Missouri" or "SBC."

- b. The interMTA factors listed below have been proposed by three Complainants and are not opposed by any party. Should the Commission adopt these factors for the purpose of determining interMTA traffic in this Complaint case?
1. Alma Tel Co and Cingular - Factor 0%
 2. Alma Tel Co and US Cellular - Factor 0%
 3. Alma Tel Co and T-Mobile - Factor 0%
 4. Alma Tel Co and Western Wireless - Factor 0%
 5. Choctaw Tel Co and Cingular - Factor 0%
 6. Choctaw Tel Co and US Cellular - Factor 0%
 7. MoKan Dial Inc. and Cingular - Factor 0%
 8. MoKan Dial Inc. and US Cellular - Factor 0%
 9. MoKan Dial Inc. and T-Mobile - Factor 0%

SBC Missouri Position: SBC Missouri does not contest these factors.

II. CONTESTED INTERMTA FACTORS.

InterMTA factors have not been agreed to between the following Complainants and Respondent wireless carriers. The factors proposed by Complainants are opposed by Respondent wireless carriers and SBC Missouri. What factors should be adopted based upon the evidence for traffic between the following petitioners and wireless carrier respondents?

1. Mid-Missouri Tel. Co. and Cingular Wireless LLC
2. Chariton Valley Tel. Corp. and Cingular Wireless LLC
3. Northeast Missouri Rural Tel. Co. and Cingular Wireless LLC
4. Chariton Valley Tel Corp. and Sprint Spectrum LP d/b/a Sprint PCS
5. Northeast Missouri Rural Tel. Co. and Sprint Spectrum LP d/b/a Sprint PCS
6. Chariton Valley Tel Corp. and United States Cellular Corporation
7. Northeast Missouri Rural Tel. Co. and United States Cellular Corporation
8. Chariton Valley Tel. Corp. and T-Mobile USA, Inc.
9. Northeast Missouri Rural Tel. Co. and T-Mobile USA, Inc.
10. Chariton Valley Tel. Corp. and Western Wireless Corp.
11. Northeast Missouri Rural Tel. Co. and Western Wireless Corp.

SBC Missouri Position: The Commission should not adopt Complainants' proposed interMTA factors. Complainants have not met their burden of proof in that they have failed to present

sufficient evidence to enable the Commission to determine appropriate factors with any degree of accuracy.²


III. **BURDEN OF PROOF.**

Who has the burden of proof on the interMTA factors that will be used for the purpose of determining interMTA traffic in this complaint case?

SBC Missouri Position: Complainants have the burden of proving the accuracy of their proposed factors as a necessary element of their claim.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

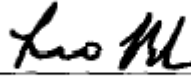
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² See, SBC Missouri witness Alan Kern's Rebuttal Testimony, pp. 2, 5-11.

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on April 9, 2004.



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