

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

Mid-Missouri Telephone Company,)	
)	
Complainant,)	
)	Case No. TC-2006-0127
)	
Southwestern Bell Telephone Company,)	
)	
and)	
)	
T-Mobile USA, Inc.,)	
)	
Respondents.)	

ANSWER OF RESPONDENT T-MOBILE USA, INC.

Comes now T-Mobile USA, Inc. ("T-Mobile"), by its undersigned attorneys, and pursuant to 4 CSR 240-2.070(8), in answer to the Complaint, states the following:

1. T-Mobile admits the allegations contained in paragraph 1.
2. T-Mobile is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2 of the Complaint, and therefore denies the same.
3. T-Mobile admits that it is a Commercial Mobile Radio Services ("CMRS") provider in Missouri and that T-Mobile has transited wireless-originated traffic through SBC Missouri's network to Mid-Missouri. T-Mobile, however, denies the remaining allegations in paragraph 3.
4. Paragraph 4 does not call for a response from T-Mobile.
5. T-Mobile denies the allegation in paragraph 5 of the Complaint that Mid-Missouri has properly identified T-Mobile's registered agent for service of process. T-Mobile, however, does not contest the Commission's service of this Complaint.
6. T-Mobile is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 6 of the Complaint, and therefore denies the same.

7. T-Mobile denies the allegations contained in paragraph 7 of the Complaint.
8. T-Mobile denies the allegations contained in paragraph 8 of the Complaint.
9. T-Mobile admits that the Commission has jurisdiction over Mid-Missouri's Complaint pursuant to Sections 386.390, 386.240 and 386.250 RSMo (2000).
10. To the extent that T-Mobile has neither specifically admitted nor denied any allegation contained in the Complaint, T-Mobile specifically denies it.
11. Further answering, T-Mobile states that some or all of Complainant's claims, and some or all of relief sought by Complainant, are barred by applicable federal and state law.
12. Further answering, T-Mobile states that Complainant's claims are barred in that Mid-Missouri has failed to exercise remedies available to it under the terms of its own applicable access tariffs or wireless termination service tariff.

WHEREFORE, T-Mobile USA, Inc. prays that the Commission dismiss the Complaint in its entirety, and for its costs and attorney's fees incurred herein.

Respectfully submitted,

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ATTORNEYS FOR T-MOBILE USA, INC.

Certificate of Service

I hereby certify that a true and final copy of the foregoing was served via electronic transmission on this 31st day of October, 2005, to the following counsel of record:

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