#### AFFIDAVIT OF KENNETH A. SCHIFMAN >

)

STATE OF KANSAS

) ss	
COUNTY OF JOHNSON )	
Kenneth A. Schifman, of lawful age, on his or and/or Nextel West, Inc. (collectively "Sprint") has two addresses within the following Missouri telephone exbelief: Columbia, Marshfield, Seymour, Everton, and to confirm that it serves two or more residential custos	o or more residential customers who have changes to the best of his knowledge and Mt. Vernon. At this time, Sprint is unable
,	Kenneth A. Schifman Director, State Regulatory Sprint
Subscribed and sworn to before me this 9Th	day of February, 2006.
NOTARY PUBLIC — State of Kansas  RHAMIE GLADE  My Appt. Exp. 9-12-08  My commission expires 9-12-06	Rhamie Pade Notary Public

#### AFFIDAVIT OF JEFFREY D. SORENSEN

STATE OF ILLINOIS	)
	) ss
COUNTY OF COOK	)
The state of the s	of lawful age, on his/her oath states: that (1) United States Cellular
-	are residential customers who have addresses within the following
	tes to the best of his/her knowledge and belief: Ava, Columbia, Crane and (2) CenturyTel wireline customers in that exchange can place local
•	bers residing within that exchange.
	7
	/ White
	- Juli
	Jeffrey D. Sorensen
	Regulatory Accounting Lead
Subscribed and sworn to be	fore me this day of February, 2006.
	Notary Public
My commission expires(	26/66/2009
	, , ,
	Official Seal
	Mouv Lang Lov  Notary Public State of Illinois
	My Commission Expires 06/06/2009



Mark Ashby • Chief Counsel-State Regulatory • phone 404.236.5568 • fax 404.236.5575

#### February 8, 2005

#### VIA FAX (original via mail)

Public Service Commission of the State of Missouri Post Office Box 360 Jefferson City, Missouri 65102

Fax No.: 573.751.1847

Re:

Case Nos. IO-2006-0316 and IO-2006-0317

Dear Secretary:

Cingular Wireless hereby responds to a Staff request relating to the Order Directing Notice, Establishing Procedural Schedule, and Reserving Hearing Date dated February 2, 2006 in Case No. IO-2006-0316 and Case No. IO-2006-0317.

As an FCC-licensed commercial mobile radio service (CMRS) provider that is not a "public utility" under Chapter 386 of the Missouri Revised Statutes<sup>1</sup>, Cingular respectfully notes that the Public Service Commission ("Commission") is without jurisdiction to require Cingular to be made a party to these proceedings or to respond to the referenced order. However, as an accommodation to the Commission and without conceding any jurisdiction over CMRS, Cingular respectfully responds to the Order as follows:

- 1. Cingular does not distinguish between residential and non-residential customers in its account records.
- 2. The Commission may obtain information relevant to Cingular's subscriber counts per rate center in Missouri through the company's Numbering Resource Utilization/Forecast Report, FCC Form 502 ("NRUF Reports") submitted to the North American Numbering Plan Administrator (NANPA) twice yearly. Among other things, every telecommunications carrier having number resources (landline and wireless) must submit in the NRUF reports the total number of telephone numbers that the carrier is currently utilizing or forecasts it will utilize in each rate center. The assigned numbers include those numbers that have been assigned to

<sup>&</sup>lt;sup>1</sup> See MRS § 386.020.

Public Service Commission of the State of Missouri February 8, 2006 Page 2

end users and those numbers that have been ported out from the carrier to other carriers.

Each carrier is required to report this information by NPA-NXX, and consequently, this information would provide information relevant to the geographic area(s) served by the carrier.

While the data in Cingular's NRUF Reports constitutes proprietary and confidential trade secret information, the Commission may review carrier-specific NRUF Reports with respect to Missouri NPAs, provided that the Commission has appropriate confidentiality protections in place to preclude disclosure of the carrier's NRUF report to any entity other than NANPA or the FCC. See 47 C.F.R. § 52.15(f)(7).

3. For general information about the number of subscribers in the state, the Commission may refer to the broadband data collected and reported by the FCC in its Local Telephone Competition Report (the "Local Competition Report"). The most recent Local Competition Report is available at <a href="http://www.fcc.gov/wcb/iatd/comp.html">http://www.fcc.gov/wcb/iatd/comp.html</a>. This report sets forth aggregated data collected by the FCC through its FCC Form 477, the Local Competition and Broadband Reporting form. Through Form 477, facilities-based service providers report data twice a year on the deployment of broadband, local telephone, and mobile telephony services.

Although Cingular has requested of the FCC not to disclose its provider-specific data contained in the Form 477, the Commission may obtain access to Cingular's Missouri information from the FCC, provided that the Commission has protections in place to preclude disclosure of Cingular's confidential information. See 47 C.F.R. § 43.11(c).

4. Knowing the Commission's expedited deadlines in this docket and because of the timing of this letter, Cingular in this instance attaches Appendices A and B, verified in Appendix C and D respectively, to provide qualified responses for each of the staff questions.

Should there be any further questions in this matter, please contact Mark Ashby at 404.236.5568 or Cindy Manheim at 425.580.8112.

Sincerely,

Mark Ashby

#### Appendix A

Question 1: For each exchange that CenturyTel/Spectra is requesting competitive status, state whether Cingular is currently providing wireless service to at least two residential customers whose addresses are located within that exchange.

#### Cingular Response:

Exchange	Two Customers*
Ava	No
Columbia	X
Crane	X
Marshfield	X
Seymour	X
Everton	X
Mt. Vernon	X

<sup>\*</sup> These affirmative responses merely confirm the existence of at least two customers with places of primary use (typically, the customers' respective billing addresses) in the areas that Cingular internally coded as being near the listed city, which may or may not correspond exactly with the exchanges listed.

Public Service Commission of the State of Missouri February 8, 2006 Page 4

#### Appendix B

Question 2: For each exchange that CenturyTel/Spectra is requesting competitive status, state whether wireline customers in that exchange can place local calls to Cingular subscribers residing within that exchange.

Cingular Response: Cingular's interconnection agreement with Spectra requires Spectra to recognize Cingular NPA-NXXs that have a rate center located in a Spectra exchange or EAS calling area, Spectra must treat its customers' calls to such Cingular NPA-NXXs as local traffic. Beyond that Cingular is not in a position to make representations as to how Spectra and CenturyTel are actually routing/rating calls to Cingular NPA-NXXs within the exchanges at issue, but Cingular assumes that such calls are being routed/rated as local calls.

#### Appendix C

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

#### AFFIDAVIT OF VICKIE JOHNSON

STATE OF GEORGIA	)
	)
COUNTY OF	)

#### **VERIFICATION**

I, Vickie Johnson, of lawful age on my oath state that I am a Senior Tax Manager for Cingular Wireless; that I have participated in the preparation of the attached chart, prepared in response to the staff's request pursuant to the Commission's Order; that I have knowledge of the information set forth in the chart labeled "Appendix A"; and, that the information is true and correct to the best of my knowledge and belief.

Vickie Johnson

Subscribed and sworn to before me this <u>R</u> day of <u>February</u>, 2006.

Notary Public

My Commission Expires:

My Commission Expires on July 28, 2008

#### Appendix D

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

#### AFFIDAVIT OF ERIC PUE

STATE OF WASHINGTON	( )
COUNTY OF KING	)

#### **VERIFICATION**

I, Eric Pue, of lawful age on my oath state that I am a Senior Contract Manager for Cingular Wireless; that I have participated in the preparation of the Cingular response to Question 2 in attached Appendix B; that I have knowledge of the information set forth in the response to Question 2 in "Appendix B"; and, that the information is true and correct to the best of my knowledge and belief.

Eric Pue

Subscribed and sworn to before me this The day of February 2006.

Sylvia M. Monsen
Notal Public Sylvia M. Monsen
My Commission Expires: 10/12/07

#### AFFIDAVIT OF MICHELE K. THOMAS

STATE OF RHODE ISLAND )
) ss
COUNTY OF PROVIDENCE)

Michele K. Thomas, of lawful age, on her oath states:

1. T-Mobile Central LLC, doing business as T-Mobile (hereinafter "T-Mobile"), has confirmed that two or more its end users have provided Missouri postal zip codes within the Mount Vernon exchange in order to purchase and receive T-Mobile commercial mobile radio service;

2. T-Mobile has provided those end users numbering resources rated out of the Mount

Michele K. Thomas Senior Corporate Counsel

Notary Public

Subscribed and sworn to before me this 7th day of February, 2006.

My commission expires

Vernon exchange.

Jules S. Cart Notary - State of P.I. My Commission Expires 5-13-2006

#### AFFIDAVIT OF MICHELE K. THOMAS

STATE OF RHODE ISLAND	)	
	) :	35
COUNTY OF PROVIDENCE	)	

Michele K. Thomas, of lawful age, on her oath states:

- 1. T-Mobile Central LLC, doing business as T-Mobile (hereinafter "T-Mobile"), has confirmed that two or more its end users have provided Missouri postal zip codes within the Columbia exchange in order to purchase and receive T-Mobile commercial mobile radio service;
- 2. T-Mobile has provided those end users numbering resources rated out of the Columbia exchange.

Michele K. Thomas

Senior Corporate Counsel

Subscribed and sworn to before me this 7th day of February, 2006.

My commission expires\_

Notary Public

Julia S. Carr Notary - State of P.I. ly Commission Expires 5-19-2006

#### **AFFIDAVIT**

STATE OF ARKANSAS )

) SS

COUNTY OF PULASKI )

I, Lawrence J. Krajci, of lawful age, being first duly sworn upon my oath, state that I am the Staff Manager of External Affairs of Alltel Communications, Inc. ("Alltel"); and that the facts set forth below are true to the best of my knowledge, information and belief.

Alltel has two or more customers who have addresses within each of the following Missouri telephone exchanges: Ava, Crane, Marshfield, Seymour, Everton, and Mt. Vernon. Alltel does not categorize its customers in its customer record system as "residential" or "business" customers and therefore cannot ascertain whether the customers are "residential" or "business" customers.

Lawrence J. Krajei

Subscribed and sworn to before me this <u>f</u> day of February, 2006.

Notary Public

My Commission expires: Section , Doil

# Wireless Carrier Information

Exchange	Wireless Carriers with 2 or	ILEC has ported telephone	Local Exchange Routing Guide
	More Residential Customers <sup>1</sup>	numbers to these wireless	Shows Local Numbers Assigned to
		carrier(s) <sup>2</sup>	These Wireless Carriers <sup>3</sup>
Ava	Alltel*, US Cellular	Alltel, Cingular	Alltel, US Cellular
Columbia	Cingular*, T-Mobile*, US	Cingular, T-Mobile, US Cellular,	Cingular (SWB Mobile), T-Mobile,
	Cellular, Sprint Nextel	Sprint Nextel	Sprint Nextel, US Cellular
Crane	Alltel*, Cingular*, US Cellular	1	ſ
Marshfield	Alltel*, Cingular*, US Cellular,	Alltel	Alltel, US Cellular
	Sprint Nextel		
Seymour	Alltel*, Cingular*, US Cellular,		ı
	Sprint Nextel		
Everton	Alltel*, Cingular*, Sprint Nextel	1	ı
Mt. Vernon	Alltel*, Cingular*, T-Mobile*,	Alltel, Cingular, US Cellular	US Cellular, Cingular (SWB
	Sprint Nextel		Mobile)

<sup>\*</sup> This wireless carrier cannot distinguish between residential and business customers.

<sup>1</sup> A representative for each of the wireless carriers has submitted a signed affidavit to the Commission Staff affirming they are currently providing wireless service to at least two customers within the exchange.

<sup>&</sup>lt;sup>2</sup> Porting information is based on CenturyTel's and Spectra's Exhibit C.

<sup>&</sup>lt;sup>3</sup> The Local Exchange Routing Guide is an industry document that identifies the carriers with assigned blocks of telephone numbers on an exchange-specific

Case No. **IO-2006-0316 IO-2006-0317** 

#### AFFIDAVIT OF Adam McKinnie

STATE OF MISSOURI	) ) ss:
COUNTY OF COLE	)
being of lawful age and after bei	he Staff of the Missouri Public Service Commission, and duly sworn, states that he has participated in the genemorandum, and that the facts therein are true and dge and belief.
	Ad McKing
	Adam McKinnie
Subscribed and affirmed be	fore me this <u>9</u> the day of <u>Jebhuary</u>
	A
	tary public within the County of Cole, State of Missouri
and my commission expires	S ON  NOTARY  NOTARY  My Commission Expires  March 16, 2009  Cole County  Commission #05407643
	NOTARY PUBLIC