

SONNENSCHN NATH & ROSENTHAL

4520 MAIN STREET SUITE 1100
KANSAS CITY, MISSOURI 64111

Lisa C. Creighton
(816) 932-4461
l3c@sonnenschein.com

(816) 932-4400
FACSIMILE
(816) 531-7545

January 11, 2000

FILED
JAN 11 2000

VIA HAND DELIVERY

Mr. Dale Roberts
Executive Secretary
Missouri Public Service Commission
301 West High Street, Suite 530
Jefferson City, Missouri 65101

Missouri Public
Service Commission

Re: In the Matter of the Petition of DIECA Communications, Inc. d/b/a Covad
Communications Company For Arbitration of Interconnection Rates, Terms,
Conditions and Related Arrangements With Southwestern Bell Telephone
Company
Case No. TO-2000-322

Dear Mr. Roberts:

Covad submits for filing with the Commission the original and (14) copies of Covad's Notice of Deposition. Also submitted is one additional copy of this document which I would ask that you return at the time of filing marked "filed." By copy of this letter, two copies of this document have been sent to the Office of Public Counsel and one copy to the Office of General Counsel. If you should have any question, please do not hesitate to contact me.

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

Lisa C. Creighton / zmc

Lisa C. Creighton

LCC/T2M
Enclosures

cc: Office of Public Counsel
Office of General Counsel
Paul Lane, Esq.

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

FILED
JAN 12 2000

Missouri Public
Service Commission

In the Matter of the Petition)
of DIECA Communications, Inc. d/b/a)
Covad Communications Company for) Case No. TO-2000-322
Arbitration of Interconnection Rates, Terms,)
Conditions and Related Arrangements)
With Southwestern Bell Telephone Company)

NOTICE OF DEPOSITION

TO: Mr. Paul Lane, Southwestern Bell Telephone Company

Pursuant to the Missouri Public Service Commission's Arbitration Procedures, Rule 4 C.S.R. 240-2.090(1) of the Missouri Public Service Commission's Practice and Procedure Rules, and Rule 57.03 of the Missouri Rules of Civil Procedure, Defendant DIECA Communications, Inc. d/b/a Covad Communications Company hereby requests that Southwestern Bell Telephone Company ("SWBT") designate a witness or witnesses competent to testify about the following matters:

1. **Cost-Related Issues**—Covad intends to explore the following cost-related issues: (1) the basis for SWBT's input assumptions for its nonrecurring cost studies for loop qualification and "conditioning," its recurring cost study for digital loops and its recurring and nonrecurring cost studies for shielded cross-connections; (2) the consistency between the assumptions and modeling approach in the aforementioned studies and the corresponding cost studies that SWBT relies on for analog loops and non-shielded cross-connections; (3) the reasons for changes in SWBT's costing methodology and assumptions across different generations of loop qualification and "conditioning" cost studies provided in response to discovery; (4) the consistency between SWBT's costing methodology and assumptions and the most efficient, forward-looking

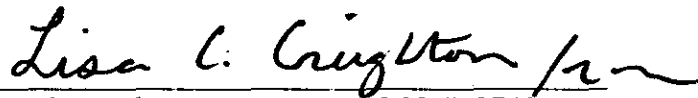
engineering practices, procedures and technology described in the various engineering guidelines, internal e-mail communications and other documents provided in response to discovery; and (5) any other cost-related issues in this arbitration.

2. **Outside Plant Related Issues**—Covad intends to explore the following outside plant related issues: (1) the interpretation of, SWBT's adoption of, and SWBT's promulgation of generally accepted outside plant engineering methods and procedures, including those advocated by Bellcore (now Telcordia Technologies, Inc.); (2) the basis for SWBT's input assumptions for its nonrecurring cost studies for loop qualification and "conditioning", its recurring cost study for digital loops, and its recurring and nonrecurring cost studies for shielded cross-connections; (3) SWBT's interpretation of "forward-looking" design as used in these proceedings; (4) SWBT's use of various high-production construction techniques such as modular splicing; (5) past and current SWBT policies and practices for planning outside plant, detailed engineering of outside plant, procuring materials for outside plant, construction of outside plant, and maintenance of outside plant facilities; (6) the consistency between SWBT's costing methodology and assumptions and the most efficient, forward-looking engineering practices, procedures and technology described in the various engineering guidelines, internal e-mail communications and other documents provided in response to discovery; (7) methods used to gather opinions of SWBT's experts, and the manipulation of data to determine input values for cost studies utilized in these proceedings; and (8) any other outside plant related issues in this arbitration.

Counsel for SWBT is required, prior to the deposition, to designate the witness or witnesses who will testify about the matters previously described. The deposition of the designated witness on cost-related issues will take place on July 18, 2000, at the offices of Southwestern Bell, One Bell

Center, St. Louis Missouri, starting at 8:30 a.m., immediately followed by the deposition of the designated witness on outside plant related issues. Counsel for SWBT is directed to bring all highly confidential SWBT documents in this arbitration to these depositions. The depositions will be taken before a stenographic reporter or other person duly authorized to administer oaths.

Respectfully submitted,

A handwritten signature in cursive script, reading "Lisa C. Creighton" followed by a stylized flourish.

Mark P. Johnson MO #30740

Lisa C. Creighton MO #42194

Sonnenschein, Nath & Rosenthal

4520 Main Street, Suite 1100

Kansas City, Missouri 64111

816/932-4400

816/531-7545 FAX

ATTORNEYS FOR DIECA COMMUNICATIONS, INC.
D/B/A COVAD COMMUNICATIONS COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was mailed, postage prepaid, this 11th day of January, 2000, to:

Paul Lane, Esq.
Southwestern Bell Telephone
One Bell Central, Room 3536
St. Louis, Missouri 63101

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

Office of General Counsel
ATTN: Bill Haas
P. O. Box 360
Jefferson City, Missouri 65102



Attorney for DIECA Communications, Inc.
d/b/a Covad Communications Company