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April 2, 2003

FILED³

APR 02 2003

Secretary of PSC
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Missouri Public
Service Commission

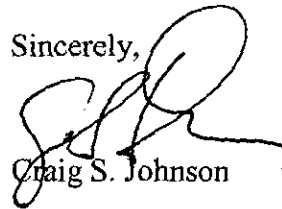
**Re: Mid-Missouri Telephone Company
PSC Mo. No. 3, Wireless Termination Service Tariff
Case No. IT-2003-0376, Formerly JI-2003-1667**

Dear Secretary:

Enclosed for filing please find an original and five (5) copies of Mid-Missouri Telephone Company's Suggestions in Opposition to Tariff Suspension.

Thank you for seeing these filed.

Sincerely,



Craig S. Johnson

CSJ:tr

Enc.

cc: Denise Day
Mike Scheperle
Dan Joyce
Michael Dandino

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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³
APR 02 2003

In the Matter of Mid-Missouri)
Telephone Company's filing of a)
Proposed Wireless Terminating)
Tariff, PSC Mo. No. 3.)

Missouri Public
Service Commission

Case No. IT-2003-0376
(formerly JI-2003-1667)

Suggestions in Opposition to Tariff Suspension

Mid-Missouri Telephone Company, upon review of Staff's March 26 Recommendation for approval of tariff, and upon consideration of comments made at the Commission's April 1, 2003 Agenda Session, submits the following Suggestions in Opposition to Suspension of its proposed Wireless Termination Tariff.

1. Except for the provisions regarding the determination of "interMTA" traffic, the proposed tariff is identical to the tariffs approved in 2001 for approximately 30 other small ILECs in TT-2001-139. The rate the company filed is the same rate as contained on the schedule of rates prepared by GVNW for all small ILECs, which the Commission approved in TT-2001-139. In TT-2001-139 the wireless carriers intervened to oppose the tariffs. In this case the wireless carriers have not intervened, and Staff has recommended that the tariffs be allowed to become effective.

2. Mid-Missouri, Chariton Valley, and Northeast are the only small ILECs that at present do not have in effect such a wireless termination tariff.

3. In TC-2002-57, Staff recommended that Mid-Missouri, Chariton Valley, and Northeast file a wireless termination tariff to be consistent with other small ILECs. The Company believed that the Commission's pending and future deliberations with

respect to terminating wireless traffic would be simpler if all small companies had terminating wireless tariffs in effect. After deliberation, and because since February 5, 1998 these three companies have been largely unsuccessful in obtaining compensation for terminating wireless traffic, it was determined to file the instant tariffs.

4. Since February 5, 1998 the traffic in question has been terminating in the absence of approved agreements, in apparent violation of the Commission's December 23, 1997 Report and Order in TT-97-524.

5. This Company is aware that the provisions of the other small companies' wireless termination tariffs approved in TT-2001-139, in effect since 2001, have required the call records provided to contain sufficient detail to determine if calls are interMTA or intraMTA, which information is essential for correct billing of the call. The Company is also aware that the calls have continued to terminate for the past two years without compliance with this provision of the tariff. Since February 5, 1998 the CTUSRs have failed to provide this call detail.

6. As both interMTA and intraMTA traffic is delivered to small ILECs over the same facility, the lack of call record detail initially puts the terminating LEC in a dilemma as to how to bill reported traffic volumes. If the small LEC bills all traffic at interMTA rates, in order to incent compliance with the record requirements of the tariff, the company is criticised by the wireless carrier for excessive billing. This happened to Alma in the hearing of TC-2002-57. If the small LEC bills all traffic at intraMTA rates the small LEC loses higher access compensation to which it is entitled for interMTA traffic, and guarantees that the provision of the tariff requiring call detail will continue to be ignored. This was the path chosen by Choctaw and MoKan.

7. Based upon this experience, the Company added the provision in question regarding determination of the amount of interMTA traffic in the absence of call detail. The "default interMTA factor" will only be applied if other provisions of the tariff are not complied with. The tariff initially requires call detail identifying interMTA and intraMTA traffic. It allows a reasonable traffic study quantifying a factor as a substitute for individual call detail. If the wireless carriers continue not to send call detail, or if they continue to fail to provide a traffic study, then, and only then, would the "default" interMTA factor apply. A default factor is a useful term of the tariff to eliminate this dilemma, which experience has demonstrated is real, not just theoretical.

8. The default interMTA factor was determined based upon the concept provided by VerizonWireless witness Clampett in TC-2002-57. Verizon Wireless suggested one methodology to use for determining interMTA factor would be to look at the proportion of access lines in the same MTA as the tandem through which the traffic was switched and routed to the terminating LEC. The Company ascertained the proportion of its lines in the Kansas City MTA (which includes the SWBT access tandem where this traffic is switched to the Company) as compared to the total of all access lines. For Mid-Missouri this proportion was 18%. The justification for the factor was submitted by the Company to Staff on March 6, copy attached hereto.

9. This default factor will only apply if the wireless carrier fails to comply with the tariff provisions requiring call detail. Like the tariffs approved in TT-2001-139, if application of the tariff operates to the dissatisfaction of the wireless carrier, the tariff can be overridden by the approval of a negotiated or arbitrated traffic termination agreement.

10. The company respectfully suggests that there is no need for suspension of this tariff pending a decision in TC-2002-57. In that case Mid-Missouri, Chariton Valley, and Northeast had no wireless termination tariff. Alma, Choctaw, and MoKan did have a wireless termination tariff, but they had only been in effect since 2001. In TC-2002-57 all seven companies brought complaint for determination of the compensation due prior to the effective date of a wireless termination tariff. By the time of hearing and submission of that case, all wireless carriers (with the possible exception of Western Wireless) agreed they were responsible to pay terminating compensation pursuant to an approved wireless termination tariff. The paramount issue in that case, for all complainant companies, is what compensation is to be paid *before* the effective date of a wireless termination tariff. Approval of the tariff in question will not change that issue. Instead it would merely establish a "cutoff" date of the *applicability* of that issue for Mid-Missouri, Chariton Valley, and Northeast. The issue itself will still remain for decision, and the approval of the tariff in question will not eliminate the issue. Delaying the tariffs in question pending the decision in TC-2002-57 will likewise not change the issues pending decision in TC-2002-57.

WHEREFORE, on the basis of the foregoing, the Company respectfully requests that the proposed tariff not be suspended and instead allowed to become effective.

ANDERECK, EVANS, MILNE,
PEACE & JOHNSON, L.L.C.

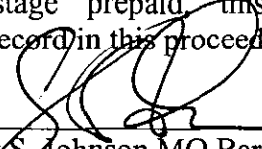
By 

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ATTORNEYS FOR Mid-Missouri

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was mailed, via U.S. Mail, postage prepaid, this 2 day of April, 2003, to all attorneys of record in this proceeding.


Craig S. Johnson MO Bar No. 28179

To: Van Eschen John, Voight Bill, Scheperle Mike
From: Craig Johnson <cjohnson@aempb.com>
Subject:
Cc: Biere Bill, Day Denise, Ford Ray, Godfrey Gary
Bcc:

John, Bill, Mike:

I did the attached letter to help explain the default interMTA factor proposed in the CV, Mid-Mo, and NE tariffs file yesterday. Hope it is of assistance.

Craig

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March 6, 2003

John VanEschen
William Voight
Michael Scheperle
MoPSC Staff

Re: Wireless Termination Tariffs of Chariton Valley, Mid-Missouri, and Northeast

John, Bill, Mike:

After speaking with Mike yesterday I thought a letter explaining the default interMTA factors in these proposed tariffs may be useful to Staff. The rates in these tariffs are structured the same as those in the other small company wireless termination tariffs approved in TT-2001-139. The default interMTA factor is the substantive change from the tariffs approved in TT-2001-139.

The default factor was added as a result of the experiences of other small companies. Approval of small company tariffs, although they called for identification of interMTA or intraMTA traffic, did not result in changes to the CTUSR. After 5 years the CTUSR still does not provide traffic jurisdiction. When CTUSRs arrive there is an initial dilemma as to what rate to bill. If a small company presumes all traffic is interMTA and bills access to interMTA provision of correct jurisdictional information, as Alma did, wireless carriers criticize them. If a small company presumes all traffic is intraMTA and bills the tariff rate, as MoKan did, there is no incentive for the wireless carrier to provide interMTA traffic amounts for which they would be billed access, even though the tariff requires it.

The default factor was developed to prevent this initial dilemma. If CV, Mid-Mo, or NE receive CTUSRs without traffic jurisdiction information, the default factor will be applicable. There will be no dispute as to how to bill the minutes.

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March 6, 2003

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The default factor is based upon the proportion of access lines a particular company has outside the Kansas City MTA. This is the best information available to these companies upon which to base a default factor. All traffic is delivered via SWBT from its McGee tandem in the Kansas City LATA. Presuming all traffic delivered to SWBT in the Kansas City MTA also originated there, a default factor can be developed by proportioning the access lines located outside the Kansas City MTA to total company access lines. Traffic terminating to those lines would be presumed interMTA in the absence of the jurisdictional information called for by the tariff. This is along the lines suggested by the cross-examinations of Verizon Wireless witness Clampett at the August 2002 hearing in TC-2002-57. I also understand this to have been at least part of the basis for factors included in interconnection agreements submitted since then.

Mid-Missouri has 4169 access lines. Two of its exchanges, Latham and High Point, lie completely in the St. Louis MTA. One-half of its Fortuna exchange lies in the St. Louis MTA. Therefore 765 access lines, or 18.35% of total access lines, are outside the Kansas City MTA.

Chariton Valley has 8562 access lines. 6938 of these are in thirteen CV exchanges located in the St. Louis MTA (Atlanta, Bevier, Bynumville, Callao, Clifton Hill, Ethel, Excello, Forest Green, Huntsville, Jacksonville, New Cambria, Prairie Hill, and Salisbury). The other five CV exchanges are in the Kansas City MTA. 81.1 % of CV access lines lie outside the Kansas City MTA.

Northeast has 8970 access lines. All of Northeast's 14 exchanges, except one, lie completely outside the Kansas City MTA. The one exchange partially lies in Linn County of the Kansas City MTA, and partially in the St. Louis MTA. Of that one exchange 26 access lines are in Linn County. 8944 access lines, or 99.7% of total NE access lines lie outside the Kansas City MTA.

Please let me know if I can provide any further information.

Sincerely,

Craig S. Johnson

cc: William Biere
Denise Day
Ray Ford