

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

In the Matter of the Second Investigation)	
into the State of Competition in the Exchanges of)	Case No. TO-2005-0035
Southwestern Bell Telephone, L.P., d/b/a)	
SBC Missouri.)	

**SBC MISSOURI'S OBJECTION TO
LATE-FILED EXHIBIT 53**

SBC Missouri¹ respectfully objects to the admission of Late-Filed Exhibit 53, which was offered by Socket Telecom on February 9, 2005.²

1. SBC Missouri objects to Socket's Late-Filed Exhibit 53 on the basis that it is incomplete, incorrect in several respects, and may be misleading.
2. Incomplete. Late-Filed Exhibit 53 is incomplete in that it does not fully explain how voice grade service (service at the DS0 level) can be provided using unbundled dedicated transport ("UDT"). While Socket is correct that DS0 Enhanced Extended Loops ("EELs") are not available on an end-to-end basis (i.e., a single DS0 loop combined with unbundled dedicated transport at the DS0 level), voice grade service can be provided using a DS0 loop and unbundled dedicated transport at either the DS1 or DS3 level, with the necessary multiplexing. (Perhaps the confusion lies with terminology because combining a DS0 loop with DS1 unbundled dedicated transport would not be referred to as a "DS0 EEL.")

In fact, by June 2002, SBC Missouri began offering 2-Wire Analog Loop to DS1 or DS3 UDT as a new UNE combination, both as part of a UNE combining amendment for those CLECs with existing ICAs, and as part of its generic for those CLECs negotiating a new ICA.³ In light of the *Triennial Review Remand Order*, SBC Missouri expects CLECs to purchase these UNE combinations as and where they decide to migrate from UNE-P to UNE-L arrangements, under which they would either provide their own switching or obtain it from a third-party provider.

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

² Pursuant to Judge Ruth's Order from the bench on February 7, 2005, objections to Late-Filed Exhibit 53 are to be filed February 15, 2005. Tr. 1354-1355.

³ See, e.g., Amendment to the Interconnection Agreement between Southwestern Bell Telephone, L.P. and ICG Telecom Group, Inc. to add the UNE Combining Appendix, approved by the MoPSC in April, 2003.

2. Incorrect. In short then, Late-Filed Exhibit 53 is incorrect in that CLECs would not be required to purchase an end-to-end DS1 EEL (a DS1 loop plus DS1 UDT) from St. Louis to New Madrid in order to provide a DS0 service in New Madrid. As explained above, a CLEC wishing to serve customers in New Madrid from its collocation facility in St. Louis Washington central office, could use a combination of DS0 loops and DS1 unbundled dedicated transport (or DS3 UDT if needed).

Late-Filed Exhibit 53 is further incorrect in that, with the described EEL there is no requirement for the CLEC to collocate in the New Madrid central office, whether to access an unbundled voice grade loop in that exchange or for any other reason.

Late-Filed Exhibit 53 is also incorrect in that there is no requirement for a CLEC to establish a “point of interconnection” with SBC Missouri’s facilities in the New Madrid exchange when the CLEC is providing service using the EEL described above. Under the scenario outlined by Socket Telecom, SBC Missouri and the CLEC would not be physically exchanging New Madrid traffic within the New Madrid exchange (instead, the “point of interconnection” would likely already exist via the collocation arrangement where one end of the described EEL would terminate).

Finally, Exhibit 53’s reference to “Common Transport” is incorrect in that “Common Transport” (if used as a synonym for unbundled shared transport) is legally and technically only available with unbundled local circuit switching, and thus has no relevance in situations, like here, where a CLEC is using its own switch or that of third-party provider to provide service.

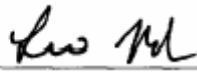
3. Potentially Misleading. Late-Filed Exhibit 53 is potentially misleading in that CLECs normally do not market to serve one single line customer, and concocting an example for the provision of service in that manner is unrealistic. Rather, it has been SBC Missouri’s experience that CLECs execute business plans under which they market their service to a broad area (e.g., an exchange or group of exchanges). Under those plans, CLECs expect to serve more than one customer and scale their facilities accordingly. Moreover, CLECs might also elect to establish collocation facilities, or in fact may already have collocation facilities, closer to the New Madrid exchange. The direct testimony of Mr. Unruh demonstrates that there are collocation arrangements

in southeast Missouri which can be used to serve New Madrid and other surrounding exchanges in southeast Missouri.⁴

WHEREFORE, SBC Missouri respectfully requests the Commission to sustain its objection and decline to receive Late-Filed Exhibit 53 into evidence.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.
D/B/A SBC MISSOURI

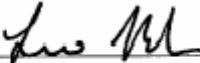
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⁴ Unruh – Schedule 9HC

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to all parties by e-mail on February 15, 2005.



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