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www.nerpe.com March 10, 2004

The Honorable Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102-0360

MAR 1 0 2004

Missouri Public
Service Commission

FILED4

Re:

Case No. TO-2004-0207

Dear Judge Roberts:

The rebuttal testimony of John M. Ivanuska was filed by this office on March 1, 2004 with a facsimile affidavit. Mr. Ivanuska's original affidavit is now available and I enclose the original and five copies to complete the filing.

Please contact me if you have any questions regarding this matter. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

Mark W. Comley

comleym@ncrpc.com

MWC:ab Enclosure

cc:

Office of Public Counsel

General Counsel's Office

Counsel of record

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of a Commission Inquiry into the Possibility of Impairment without Unbundled Local Circuit Switching When Serving the Mass Market.)))	Case No. TO-2004-0207
AFFIDAVIT OF JOHN M.	IVANUS]	KA $FILED^4$
STATE OF MISSOURI)		MAR 1 0 2004
COUNTY OF Jules m) ss.		Missouri Public Service Commission

I, John M. Ivanuska, of lawful age, and being duly sworn, do hereby depose and state:

- 1. My name is John M. Ivanuska. I am presently Vice President of Carrier Relations and Interconnection for Birch Telecom, Inc.
 - 2. Attached hereto and made a part hereof for all purposes is my rebuttal testimony.
- 3. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded are true and correct to the best of my personal knowledge, information and belief.

John M. Ivanuska

Subscribed and sworn to before me, a Notary Public, this 1st day of March, 2004.

BARBARA P. FILLINGER
Notary Public-Notary Seal
State Of Missouri
Commissioned In Jackson County
My Commission Expires: June 6, 2004
My Commission Expires: June 6, 2004

Berbara P. Fellinger Notary Public