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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of AT&T Communications of the)
Southwest, Inc.'s Petition for Arbitration Pursuant)
to Section 252(b) of the Telecommunications Act of) **Case No. TO-97-63**
1996 to Establish an Interconnection Agreement)
Between AT&T Communications of the Southwest, Inc))
and GTE Midwest Incorporated.)

CONCURRING OPINION OF COMMISSIONER CRUMPTON

The Commission arbitrated 68 major and an additional 10 related issues. Considering the complexity of the case and the inconsistency of information provided by the parties, the Commission arrived at interim prices.

I concur with the majority. I am distressed by the purported inability of the AT&T and GTE telecommunications professionals to publicly agree on issues which their privately negotiated contracts already contain. The Alliance for Telecommunications Industry Solutions ("ATIS") is a living testament to the ability and willingness of American telecommunications industry professionals to create agreements. Perhaps the problem is the role which the attorneys have assumed in the process, and in particular in this case.

While I reluctantly support the serious discounts in this order on the one hand, on the other hand the evidence in this case provided little choice.

The Commission intends for the ordered prices and discounts to be used on an interim basis. During the interim, we expect the parties to agree on the items (costs) to

be used in setting prices, and on standards for the input values for those items. We fully expect the parties to reveal the values they use in their costing models so that the Commission Staff ("Staff") can run the models and evaluate the results.

If the telecommunications professionals do not take charge and provide consistent verifiable inputs, permanent prices may provide limited improvement over the interim prices.


Further, allow me to direct the parties' attention to Section 252 (b) (4) (B) of the federal Telecommunications Act of 1996, under which this arbitration occurred: "If any party refuses or fails unreasonably to respond on a timely basis to any reasonable request from the State commission, then the State commission may proceed on the basis of the best information available to it from whatever source derived." As this Commission prepares to develop permanent prices, the parties should keep Section 252 (b) (4) (B) in mind.

While setting prices for goods and services may be difficult, it is not impossible if the inputs to the process are reliable. In fact, once one decides upon the inputs, the calculations and the interrelationships among the inputs, then mathematical calculations may be specified that model the process. Humans can and do build models to quickly solve complex problems. In the area of telecommunications pricing, many models exist.

Prior to setting final prices in this case, the parties must provide to Staff: explanations respecting their pricing models and processes so that Staff can understand the model or process and each input; the calculations that are performed on those inputs; the interrelationships among the calculations; and finally, a set of data

for each product or service.

Respectfully submitted,


Harold Crumpton, Commissioner

Dated at Jefferson City, Missouri, on
this 14th day of January, 1997.