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February 1, 2000

**VIA FEDERAL EXPRESS**

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

**FILED<sup>2</sup>**

**FEB 2 2000**

**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:

Enclosed for filing with the Commission are the original and fourteen (14) copies of Covad's Fourth Amended Notice of Deposition. A copy of this document has been transmitted via facsimile to Southwestern Bell and the Office of General Counsel, and two copies have been mailed to the Office of Public Counsel.

Please return one copy of this document to me in the envelope enclosed for that purpose.

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 Creighton/cm*  
Lisa C. Creighton

LCC/cm  
Enclosures

cc: Office of Public Counsel  
Office of General Counsel

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

FILED<sup>2</sup>  
FEB 2 2000

Missouri Public  
Service Commission

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

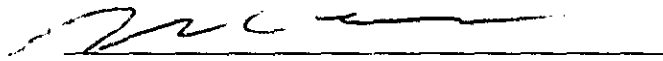
**FOURTH AMENDED NOTICE OF DEPOSITION**

**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 Rules 56.01 and 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") produce James R. Smallwood and Dave S. Borders to testify on February 8, 2000.

The deposition of Mr. Smallwood will take place on February 8, 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 Mr. Borders. 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,



Mark P. Johnson MO #30740

Lisa C. Creighton MO #42194

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816/932-4400

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

CERTIFICATE OF SERVICE

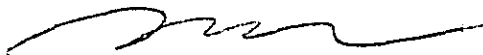
I hereby certify that a true and correct copy of the above and foregoing was transmitted via facsimile and mailed, postage prepaid, this 1st day of February, 2000, to:

Paul Lane, Esq.  
Southwestern Bell Telephone  
One Bell Central, Room 3516  
St. Louis, Missouri 63101

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

With copies being mailed on the same date, postage prepaid, to:

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

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