

WILL
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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Petition of DIECA)
Communications Inc., d/b/a Covad Communications)
Company for Arbitration of Interconnection) Case No. TO-2000-322
Rates, Terms, Conditions and Related Arrange-)
ments with Southwestern Bell Telephone Company.)

ORDER DENYING MOTION TO COMPEL

On February 7, 2000, DIECA Communications, Inc., d/b/a Covad Communications Company (Covad), filed its Motion for Order Compelling Compliance With Commission's Order and for Sanctions. The motion concerns whether Southwestern Bell Telephone Company (SWBT) has complied with the Commission's January 25, 2000, Order Regarding Motion to Compel Responses to Data Requests. That order specifically addressed each of 32 disputed data requests and the arguments presented by both parties. The order directed SWBT to provide the requested information by February 4, 2000. Covad did not identify which of the 32 data requests that it was seeking to compel.

On February 8, 2000, SWBT filed its response to Covad's motion. SWBT's response indicates that SWBT believes Covad's motion concerns four of the data requests, numbered 13, 14, 31, and 32. SWBT provides information about each of its responses and its supplemental responses if applicable.

The Commission lacks sufficient information to know what data requests, if any, are in dispute. Therefore, Covad's motion will be denied.

IT IS THEREFORE ORDERED:

1. That the motion filed by DIECA Communications, Inc., d/b/a Covad Communications Company (Covad), titled Motion for Order Compelling Compliance With Commission's Order and for Sanctions is denied.
2. That this order shall become effective on February 23, 2000.

BY THE COMMISSION



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Keith Thornburg, Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 10th day of February, 2000.