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January 31, 2000

**VIA HAND DELIVERY**

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

**FILED**

**JAN 31 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 is Covad's Reply to Southwestern Bell Telephone Company's Opposition to Covad's Motion to Modify Procedural Schedule. The original and fourteen (14) copies of this document will be forwarded by Federal Express for delivery on February 1, 2000.

Please do not hesitate to contact me if you should have any questions. Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

*Lisa Creighton*  
Lisa C. Creighton

LCC/cmw  
Enclosures

cc: Office of Public Counsel  
Office of General Counsel

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

FILED

JAN 31 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

**REPLY TO SOUTHWESTERN BELL TELEPHONE COMPANY'S  
OPPOSITION TO COVAD'S MOTION TO MODIFY PROCEDURAL SCHEDULE**

COMES NOW DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad"), and for its Reply to Southwestern Bell Telephone Company's ("SWBT's") Opposition to Covad's Motion to Modify Procedural Schedule, states as follows:

1. First, the Commission should be aware that pursuant to 47 U.S.C. § 252(b)(4)(C), it has until March 25, 2000 to issue a decision in this case, not March 19, 2000 as stated by SWBT. Further, Covad will agree to an expedited briefing schedule to ensure that this deadline can be met.

2. Second, February 15, 2000 was one of the three dates identified for the hearing in the first procedural order. Therefore, scheduling the hearing to start on February 15, 2000 should not inconvenience SWBT's witnesses. Further, it is far more important to have an informed presentation of the evidence and a comprehensive resolution of disputed issues, than to have the hearing schedule be convenient to SWBT's witnesses.

3. Third, Covad must be given the opportunity to review the relevant and probative information that SWBT has withheld. Under the current deadline, with *one business day* between the date on which SWBT must produce the information and the beginning of the

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hearing, this will be impossible. Clearly, SWBT should not be allowed to refuse to respond to legitimate data requests and then claim that once it is compelled to respond, Covad should not have the opportunity to have meaningful access to the responsive information.

WHEREFORE, Covad urges the Commission to grant its motion to modify the procedural schedule to allow for the filing of surrebuttal on February 10, 2000 and set the hearing dates of February 15 – 16, 2000.

Respectfully submitted,



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

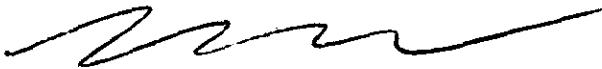
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was sent via facsimile and mailed, postage prepaid, this 31<sup>st</sup> day of January, 2000, to:

Paul Lane, Esq.  
Southwestern Bell Telephone  
One Bell Central, Room 3536  
St. Louis, Missouri 63101

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

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



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