

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 5, 2001**

CASE NO: TO-2000-322

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

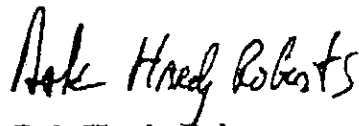
**Paul G. Lane/Leo J. Bub
Anthony K. Conroy/Mimi B. MacDonald**
Southwestern Bell Telephone Company
One Bell Center, Room 3510
St. Louis, MO 63101

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Mark P. Johnson/Lisa C. Creighton
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale Hardy Roberts". The signature is fluid and cursive, with the first name "Dale" being more prominent.

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

OF THE STATE OF MISSOURI

Case No. TO-2000-322

ORDER DIRECTING FILING

On December 12, 2000, DIECA Communications, Inc., d/b/a Covad Communications Company (Covad) and Southwestern Bell Telephone Company (SWBT) filed a joint motion titled Notice of Settlement Without Prejudice requesting the Commission to close this case. The Commission's Staff filed a response on December 20, 2000, opposing the request to close this case. SWBT filed a reply on December 22, 2000.

This case presented the arbitration of disputed issues between Covad and SWBT to reach an interconnection agreement based upon Section 252(b) of the Telecommunications Act of 1996 (the Act). The Commission issued its arbitration order on March 23, 2000. Covad filed the interconnection agreement between it and SWBT on July 5, 2000. The Commission issued an order approving the agreement on July 21, 2000.

This case has remained open to receive filing of certain confidential quarterly monitoring reports by SWBT and for completion and filing of cost studies by SWBT and the Commission's Staff regarding certain interconnection costs and related issues. While the Commission completed the subject arbitration within the time constraints imposed under the Act, the arbitration proceeding showed that the Commission did not have the best information available to resolve the issues presented. The monitoring reports and cost studies were ordered to obtain the information necessary

to address issues that are likely to come before the Commission again. The monitoring reports were ordered for an indefinite period. The cost studies are due on January 16, 2001, pursuant to an extension granted on August 11, 2000.

SWBT indicated in the December 12, 2000, motion and in its December 22, 2000, reply that it intends to complete and file the ordered cost studies and continue to submit the confidential quarterly monitoring reports (quarterly reports). SWBT suggests in its reply that a new case be opened to receive the cost studies and the reports.

SWBT and Covad present a basis to close this case. However, in its reply, SWBT did not state whether and how its interests are prejudiced by keeping the case open, particularly since this case could be closed shortly after the cost studies are filed on January 16, 2001.

Staff did not respond to SWBT's reply and suggestion that a new case be opened. The Commission desires Staff's input concerning the period of time quarterly reports should be continued and whether this case (or a new case opened for filing of cost studies) should be closed after the cost studies are filed and subsequent monitoring reports ordered filed with the Telecommunications Department rather than in a Commission case file.

IT IS THEREFORE ORDERED:

1. That Southwestern Bell Telephone Company shall file a supplement to its reply informing the Commission of any prejudice or harm to it in keeping this case open for filing of the ordered cost studies not later than January 16, 2001.

2. That the Commission's Staff shall file a supplement to its response advising the Commission whether a new case should be opened for the filing of cost studies and monitoring reports, the period of time Staff believes monitoring reports should be continued and whether the reports may

be filed directly with the Telecommunications Department in lieu of filing in a case file. Staff shall file its supplemental response not later than January 16, 2001.

3. That DIECA Communications, Inc., d/b/a Covad Communications Company and the Office of the Public Counsel may file a reply or suggestions responsive to the matters presented in this Order Directing Filing not later than January 16, 2001.

4. That this order shall become effective on January 15, 2001.

BY THE COMMISSION

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Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Keith Thornburg, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 5th day of January, 2001.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 5th day of Jan. 2001.



A handwritten signature in cursive script that reads "Dale Hardy Roberts". The signature is written in dark ink and is positioned above a horizontal line.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge