

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

T-MOBILE USA, INC.,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2006-0486
)	
BPS TELEPHONE CO., et al.,)	
)	
Respondents)	

BPS TELEPHONE COMPANY ET AL.'S
ANSWER TO T-MOBILE'S FIRST AMENDED COMPLAINT

COME NOW Respondents BPS Telephone Company, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Mo., Craw-Kan Telephone Cooperative, Inc., Fidelity Telephone Company, Grand River Mutual Telephone Corporation, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Company, Kingdom Telephone Company, KLM Telephone Company, Lathrop Telephone Company, and Mark Twain Rural Telephone Company ("BPS Telephone Co. et al." or "Respondents") and for their answer to the Complaint filed by T-Mobile USA, Inc. ("T-Mobile") respectfully state to the Missouri Public Service Commission ("Commission" or "PSC") as follows:

I. INTRODUCTION AND SUMMARY

T-Mobile is the only wireless carrier in Missouri that has failed to pay for its use of Respondents' networks during the period of time between the 2001 effective date of their tariffs and April 29, 2005. Every other wireless carrier operating in this state has played by the rules and paid for the traffic that was sent to Respondents over the local exchange carrier ("LEC-to-LEC") network during this time period.

On January 27, 2005, this Commission expressly found that T-Mobile had failed to pay Respondents for the use of their network facilities and services. See PSC Case No. TC-2002-1077. T-Mobile has refused to comply with that Commission order and has failed to pay Respondents for the use of their networks between 2001 and 2005 as ordered by the PSC. Accordingly, on May 12, 2006, Respondents notified both T-Mobile and the Commission's Staff that T-Mobile's traffic would be blocked over the LEC-to-LEC network beginning on June 21, 2006. In response, T-Mobile filed the formal complaint which gave rise to this case.

II. EXPEDITED RESOLUTION

Respondents concur in T-Mobile's request for expedited treatment and ask that the Commission resolve this matter as soon as possible.

III. ANSWER

Respondents BPS Telephone Company et al. deny all allegations in T-Mobile's Complaint not specifically admitted herein.

1. With respect to the averments contained in numbered paragraph one (1) of the Complaint, Respondents admit that on May 12, 2006, Respondents advised T-Mobile that they intended to begin blocking T-Mobile's calls made over the LEC-to-LEC network beginning on June 21, 2006 pursuant to the Commission's Enhanced Records Exchange (ERE) Rules. However, Respondents expressly deny that this blocking would prevent Respondents' customers from receiving calls from T-Mobile's customers, as T-Mobile will remain free to deliver its wireless calls to Respondents' exchanges via other network connections.¹ In fact, the Commission's ERE Rules expressly allow T-Mobile to deliver its

¹ Indeed, T-Mobile appears to admit that it will be able to deliver its traffic via an interexchange carrier ("IXC") later in its Complaint. See e.g. paragraph 16 of T-Mobile's Complaint.

traffic over other network connections. See *e.g.* 4 CSR 240-29.130(1). The Commission's ERE Rules located at 4 CSR 240-29 speak for themselves and, consequently, no admission or denial is required. The Respondents have ceased their preparations for blocking T-Mobile's traffic pending the outcome of this case and pursuant to the Commission's June 20, 2006 *Order*.

2. With respect to numbered paragraph two (2) of the Complaint, Respondents deny that the question of the lawfulness of their state tariffs is currently pending before the Court of Appeals for the Eighth Circuit in Case No. 05-4377. Rather, the only points raised by T-Mobile on appeal are whether the U.S. District Court for the Western District of Missouri erred in: (a) granting Respondents' motion to dismiss for lack of jurisdiction; and (b) denying T-Mobile's request for transfer to the Eighth Circuit. The only other matter currently pending before the Eighth Circuit is Respondents' motion to dismiss for lack of subject matter jurisdiction. Thus, Respondents do not agree that the Eighth Circuit has jurisdiction. Respondents admit that T-Mobile asked the Eighth Circuit for both a stay of the proceedings and an injunction to prevent Respondents from implementing blocking on the LEC-to-LEC network. Respondents further state: (a) on March 17, 2006, the Eighth Circuit denied T-Mobile's motion to stay the proceedings, and (b) on June 20, 2006, the Eighth Circuit denied T-Mobile's request for an injunction to prevent the Respondents from blocking T-Mobile's calls on the LEC-to-LEC network. Thus, the Eighth Circuit has already rejected T-Mobile's motion for an injunction and the majority of the arguments T-Mobile now seeks to revive before the Commission.

3. With respect to numbered paragraph three (3) of the Complaint, Respondents deny that the federal courts have jurisdiction over this matter. On August 24, 2005, the

U.S. District Court for the Western District of Missouri granted Respondents' motion to dismiss for lack of subject matter jurisdiction, and a similar motion to dismiss has been briefed and is pending before the Eighth Circuit. Respondents have ceased blocking preparations pursuant to the Commission's ERE Rule and its June 20, 2006 *Notice Regarding Obligation to Cease Blocking*. Respondents deny that blocking over the LEC-to-LEC network will disrupt wireless service to T-Mobile's customers because the ERE Rules expressly allow T-Mobile to deliver calls over alternate network connections. Moreover, when T-Mobile's traffic was blocked over the LEC-to-LEC network pursuant to Respondents' tariffs between December 15, 2004 and April 29, 2005, T-Mobile simply delivered its calls over other network connections and there was no customer disruption. Respondents deny that there will be no negative effect on customers or the general public by further delaying the payment of T-Mobile's past due bills. On the contrary, Missouri law is clear that the public interest is not served when a customer fails to pay its bills:

It is undeniable that the utility incurs added costs for processing bills not paid currently, which costs include not only the reduction in operating funds from lessened cash flow but billing and accounting expenses associated with follow-up procedures These costs would be unfairly borne by other ratepayers if the late charge schedule were not imposed on the few customers who do not pay bills currently.

Ashcroft v. Public Service Comm'n, 674 S.W.2d 660, 663 (Mo. App. 1984)(emphasis added). Respondents also continue to incur attorneys' fees and litigation expenses as a result of what the District Court referred to as T-Mobile's "transparent litigation strategy."

4. With respect to numbered paragraph four (4) of the Complaint, Respondents answer as follows:

(a) Respondents admit the averments in paragraph 4(a).

(b) Respondents admit the averments in paragraph 4(b).

(c) Respondents admit that they sent the letter dated May 12, 2006 in order to notify T-Mobile that Respondents intended to begin blocking T-Mobile's traffic over the LEC-to-LEC network beginning June 21, 2006 pursuant to the ERE Rules. Respondents deny that they intended to block all calls from T-Mobile customers who attempt to call customers served by Respondents. As explained above, T-Mobile will still be free to deliver its calls over alternate network connections, and T-Mobile has done so during prior blocking on the LEC-to-LEC network between December 15, 2004 and April 29, 2005. Respondents admit that they are taking this action because of T-Mobile's refusal to pay its bills. As explained above, Respondents deny that "the very lawfulness of their tariffs" is presently pending before the Eighth Circuit or any other court. Rather, T-Mobile's challenges to the tariffs have already been resolved in final decisions by this Commission and Missouri's state courts.² The Eighth Circuit is only examining the question of whether the U.S. District Court erred when it granted Respondents' motion to dismiss for lack of subject matter jurisdiction.

(d) Respondents deny that blocking traffic over the LEC-to-LEC network will prevent customers from calling each other. The Commission's ERE Rule expressly allows T-Mobile to deliver its calls over other network connections, and T-Mobile has done so during prior blocking on the LEC-to-LEC network between December 15, 2004 and April 29, 2005. Respondents are without information or belief upon the subject sufficient to enable them to answer whether or not T-Mobile has the financial resources to pay its past due

² *BPS Tel. Co. et al. v. T-Mobile*, Case No. TC-2002-1077, *Report and Order*, Jan. 27, 2005; *In the Matter of Mark Twain Rural Telephone Company's Wireless Termination Service Tariff*, Case No. TT-2001-139, *Report and Order*, Feb. 8, 2001; *Sprint Spectrum v. Missouri PSC*, 112 S.W.3d 20 (Mo. App. 2003).

bills; consequently, Respondents deny that averment pursuant to 4 CSR 240-2.070(8). As explained above, Respondents deny that “the very lawfulness” of their tariffs is currently pending before the Eighth Circuit or any other court. Rather, T-Mobile’s challenges to the tariffs have already been resolved in final decisions from this Commission and Missouri’s state courts, and the Eighth Circuit is only examining the question of whether the U.S. District Court erred when it granted Respondents’ motion to dismiss for lack of subject matter jurisdiction.

(e) Respondents admit that T-Mobile did not contact counsel for Respondents regarding the blocking notice. Respondents expressly deny that T-Mobile has “repeatedly attempted to negotiate a settlement to their differences.” Rather, T-Mobile has refused to address the matter through negotiations and arbitration before the Commission and engaged in what the U.S. District Court described as “transparent litigation strategy.” Respondents further deny that their notice of blocking makes settlement of past disputes any more difficult.

(f) Respondents admit that the Commission has jurisdiction over the ERE Rules. The Commission’s ERE Rules located at 4 CSR 240-29 speak for themselves and, consequently, no admission or denial is required. Respondents deny that T-Mobile acted “immediately” after receiving Respondents’ notice of blocking or met the Commission’s standard for expedited treatment. Rather, T-Mobile waited over thirty-eight (38) days after receiving notice of Respondents’ intent to block traffic, and T-Mobile requested Commission action in less than twenty-four hours without allowing the full Commission to consider its request.

(g) Respondents are without information or belief upon the subject sufficient to enable them to answer; consequently, Respondents deny that averment pursuant to 4 CSR 240-2.070(8).

5. With respect to numbered paragraph five (5) of the Complaint, Respondents admit that they recently completed arbitration before the Commission which will govern the exchange of traffic between April 29, 2005 and April 28, 2007. Respondents object to the characterization that they “finally chose” to commence arbitration on April 29, 2005. Rather, the FCC first granted Respondents the right to compel negotiation and arbitration on April 29, 2005,³ and Respondents did so that very day. T-Mobile, on the other hand, had the ability to compel negotiations or arbitration since 1996, but never chose to do so. Instead, T-Mobile employed a strategy described by both the Missouri Court of Appeals and the U.S. District Court as “calculated inaction” whereby it delivered wireless calls to Respondents’ exchanges in the absence of an interconnection agreement.⁴ Respondents admit that they have submitted conformed interconnection agreements for Commission approval. Respondents deny that the Commission’s arbitration order in Case No. TO-2006-0147 established cost-based rates. Respondents are without specific information or belief upon the subject sufficient to enable Respondents to answer: (a) whether T-Mobile has been paying interim rates for all of its traffic; (b) whether or not T-Mobile will make true-up payments for traffic delivered on and after April 29, 2005; (c) whether T-Mobile will pay its bills on a going-forward basis; and (d) whether or not T-Mobile has settled its past due

³ See *In the Matter of T-Mobile’s Petition for Declaratory Ruling*, CC Docket No. 01-92, 2005 FCC LEXIS 1212, *Declaratory Ruling and Report and Order*, rel. Feb 24, 2005, ¶16.

⁴ *Sprint Spectrum v. Missouri PSC*, 112 S.W.3d 20, 26 (Mo. App. 2003); *T-Mobile v. BPS et al.*, U.S. District Court for the Western District of Missouri, Case No. 05-4037, *Order*, issued Aug. 24, 2005, p. 3.

amounts with other rural Missouri companies. Consequently, Respondents deny those averments contained in paragraph five (5) of the Complaint pursuant to 4 CSR 240-2.070.

6. With respect to numbered paragraph six (6) of the Complaint, Respondents admit that by letter dated May 12, 2006, Respondents notified T-Mobile that, beginning June 21, 2006 they intended to block T-Mobile's calls over the LEC-to-LEC network pursuant to the Commission's ERE Rules because T-Mobile has failed to pay its bills for service between the 2001 effective date of their tariffs and April 29, 2005. As explained above, Respondents deny that blocking over the LEC-to-LEC network would prevent customers of T-Mobile from calling customers served by Respondents because the ERE Rules expressly allow T-Mobile to deliver its calls over other network connections.

7. With respect to numbered paragraph seven (7) of the Complaint, Respondents deny that they have failed to explain why they are pursuing call blocking at this time. First, Respondents' letter dated May 12, 2006 states, "T-Mobile has repeatedly refused to pay for the tariffed charges associated with this terminating wireless traffic." Second, T-Mobile refused to negotiate or arbitrate the issue of T-Mobile's past due bills during the recent arbitration case. Respondents admit that they waited to invoke the ERE Rules until May of 2006; however, the matter of T-Mobile's past due bills had been identified as an issue in the negotiation and arbitration between Respondents and T-Mobile that commenced in April of 2005 and did not conclude until March of 2006. Respondents deny that T-Mobile is entitled to engage in self-help by refusing to pay disputed bills. On the contrary, state and federal law prohibit such self-help and require disputed bills to be paid pending the outcome of litigation. Respondents deny that "the lawfulness of their tariffs remains pending" and state that the lawfulness of their tariffs has already been

resolved in final decisions from the Commission and Missouri's state courts.⁵ Respondents further deny that they are not concerned about T-Mobile's ability to pay the amounts in dispute, particularly when every other major wireless carrier in Missouri has been able to do so. On the contrary, Respondents are quite concerned because T-Mobile is the only carrier in the state of Missouri that has failed to pay its bills, and T-Mobile's past due accounts have been "the subject of multiple proceedings across several jurisdictions."⁶

8. With respect to numbered paragraph eight (8) of the Complaint, Respondents admit that they intend to challenge the outcome of the Commission's arbitration order in federal court. However, Respondents deny that they are trying to avoid complying with the final outcome of the arbitration order should it be upheld.⁷ On the contrary, Respondents are simply trying to receive payment for the use of their facilities and services between 2001 and 2005 that this Commission specifically found they were entitled to in Case No. TC-2002-1077. T-Mobile has refused to comply with the Commission's decision in that case. Until it does so, T-Mobile should not be allowed to continue using the LEC-to-LEC network for its calls.

9. With respect to numbered paragraph nine (9) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

10. With respect to numbered paragraph ten (10) of the Complaint, these

⁵ See Case No. TC-2002-1077, *Report and Order*, issued Jan. 27, 2005; see also *Sprint Spectrum v. Missouri PSC*, 112 S.W.3d. 20 (Mo. App. 2003).

⁶ U.S. District Court for the Western District of Missouri Case No. 05-4037, *T-Mobile v. BPS Telephone et al.*, *Order*, issued Aug. 24, p. 3.

⁷ For example, Cingular Wireless was part of the same arbitration case, but Cingular Wireless made timely payments for all of its calls delivered over the LEC-to-LEC network between 2001 and April 29, 2005 pursuant to Respondents' wireless tariffs. Accordingly, there is no reason to block Cingular's traffic, and Respondents will comply with the Commission's arbitration order with respect to Cingular while the appeal is pending. In short, this case is not about the arbitration order – it is about T-Mobile's repeated refusal to pay its bills.

averments are legal assertions and conclusions and, as such, no admission or denial is required.

11. With respect to numbered paragraph eleven (11) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

12. Respondents are without information or belief upon the subject sufficient to enable them to answer whether or not some of the intraMTA traffic that T-Mobile sends is interstate; consequently, Respondents deny that averment pursuant to 4 CSR 240-2.070(8).

13. With respect to numbered paragraph thirteen (13) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

14. With respect to the averments contained in paragraph fourteen (14) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required. Respondents state that 47 U.S.C. §214(a) speaks for itself and, consequently, no admission or denial is required.

15. With respect to numbered paragraph fifteen (15) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

16. With respect to numbered paragraph sixteen (16) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

17. With respect to numbered paragraph seventeen (17) of the Complaint, these

averments are legal assertions and conclusions and, as such, no admission or denial is required.

18. With respect to numbered paragraph eighteen (18) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

19. With respect to numbered paragraph nineteen (19) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

20. With respect to numbered paragraph twenty (20) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

21. With respect to numbered paragraph twenty-one (21) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

22. With respect to numbered paragraph twenty-two (22) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

23. With respect to numbered paragraph twenty-three (23) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

24. With respect to numbered paragraph twenty-four (24) of the Complaint, Respondents admit that they have invoked the Commission's ERE Rules as authority to implement their proposed blocking of T-Mobile's calls over the LEC-to-LEC network. The

rest of T-Mobile's averments in this paragraph are legal assertions and conclusions and, as such, no admission or denial is required.

25. With respect to numbered paragraph twenty-five (25) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

26. With respect to numbered paragraph twenty-six (26) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

27. With respect to numbered paragraph twenty-seven (27) of the Complaint, Respondents admit that they intend to block T-Mobile's traffic over the LEC-to-LEC network but allow T-Mobile to deliver intraMTA traffic over other network connections. With respect to the remainder of numbered paragraph twenty-seven (27) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

28. With respect to numbered paragraph twenty-eight (28) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

29. With respect to numbered paragraph twenty-nine (29) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

30. With respect to numbered paragraph thirty (30) of the Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required.

31. With respect to numbered paragraph thirty-one (31) of the “First Amended” Complaint, these averments are legal assertions and conclusions and, as such, no admission or denial is required. Respondents further state that T-Mobile’s “prospective application” argument was denied by the Eighth Circuit on June 20, 2006.

IV. FURTHER ANSWERS AND AFFIRMATIVE DEFENSES

For further answer and defense, pursuant to Commission Rule 4 CSR 240-2.070(8), Respondents provide the following additional grounds of defense, both of law and of fact, in further answer and response to the Complaint:

A. **Failure To State A Claim.** The Complaint fails to set forth facts showing that Complainant is entitled to relief prayed for or any relief whatsoever, and fails to state a claim upon which relief can be granted against Respondents.

B. **Collateral Estoppel, Law of the Case, and Res Judicata.** Respondents’ wireless tariffs have been found lawful by this Commission in Case Nos. TT-2001-139 and TC-2002-1077 during the time period at issue here, and T-Mobile’s challenges to the tariffs have already been rejected by a final decision from the Missouri Court of Appeals. This Commission has made express findings that T-Mobile must pay Respondents their tariff charges for T-Mobile’s use of Respondents’ networks between 2001 and April 29, 2005. Accordingly, T-Mobile is barred from contesting these matters further.

C. **State and Federal Law Allow a Telecommunications Carrier to Block/Disconnect Service for Failure to Pay for Service.** The right to block calls or disconnect service for failure to comply with Commission-approved tariffs has been consistently upheld by the Missouri Court of Appeals. *State ex rel. Tel-Central of Jefferson City, Inc. v. Public Service Comm’n*, 806 S.W.3d 432 (Mo. App. 1991); *Allstates Transworld*

Van Lines v. Southwestern Bell, 937 S.W.2d 314 (Mo. App. 1996); *Sprint Spectrum v. Missouri PSC*, 112 S.W.3d 20, 26 (Mo. App. 2003). The same is true for federal law. *Tel-Central of Jefferson City, Missouri v. United Telephone Co. of Missouri*;⁸ *Tel-Central of Jefferson City, Missouri, Inc. v. FCC*, 920 F.2d 1039 (D.C. Cir. 1990); *Business WATS, Inc. v. AT&T*;⁹ *MCI Telecom. Corp. v. AT&T*.¹⁰

D. **Unlawful Self-Help.** T-Mobile is prohibited from engaging in “self-help” by refusing payment of the disputed rates during its purported appeal:

The clear line of authority regarding rate disputes is that the customer may not resort to self-help; that is, the customer may not merely refuse payment of the disputed rate but must pay the rate and then bring an action to determine the validity of the carrier’s actions.¹¹

E. **The Commission’s ERE Rules.** T-Mobile raises various jurisdictional challenges to the Commission’s ERE Rules, but T-Mobile’s arguments were addressed and rejected by the Commission in its *Order of Rulemaking*.

The ERE Rules “do not regulate wireless carriers, as [T-Mobile] and Sprint suppose. Rather, **what the rules would regulate is the use of the LEC-to-LEC network – not the wireless carriers.** . . . We reject [T-Mobile’s] apparent contention that nonregulated carriers may use the Missouri LEC-to-LEC network without regard to service quality, billing standards, and in some instances, with **an apparent disregard for adequate compensation.**”¹²

In addition, T-Mobile did not file “immediately” as required by the ERE Rule or meet the Commission’s standards for expedited relief. Rather, T-Mobile waited over thirty-eight (38)

⁸ *In the Matter of Tel-Central of Jefferson City, Missouri, Inc. v. United Telephone Company of Missouri*, File No. E-87-59, *Memorandum Opinion and Order*, 4 FCC Rcd 8338, rel. Nov. 29, 1989.

⁹ *In the Matter of Business WATS. v. AT&T*, File No. E-93-011, *Memorandum Opinion and Order*, 7 FCC Rcd 7942, rel. Dec. 7, 1992.

¹⁰ *In the Matter of MCI Telecommunications Corp. v. AT&T and Pacific Telephone*, Rel. No. FCC 76-2119, *Memorandum Opinion and Order*, 62 F.C.C. 2d 703, rel. July 30, 1976.

¹¹ *National Communications Ass’n v. AT&T*, 2001 U.S. Dist LEXIS 951 (S.D.N.Y. 2001) *19.

¹² *Order of Rulemaking*, 30 Mo. Reg. 1373, 1377, June 15, 2005 (emphasis added).

days after receiving notice of Respondents' intent to block traffic, and T-Mobile requested Commission action in less than twenty-four hours without allowing the full Commission to consider its request.

F. **Additional Affirmative Defenses.** Respondents reserve the right to raise additional affirmative defenses which may become apparent through the course of this case.

V. CONCLUSION

Ultimately, the question presented by T-Mobile's complaint is whether the Commission is going to enforce its final orders and rules, or not. In Case No. TC-2002-1077, the Commission held that T-Mobile had failed to pay for service between 2001 and 2005. Contrary to T-Mobile's claims, that Commission order is final, and the United States District Court for the Western District of Missouri dismissed T-Mobile's purported appeal for lack of jurisdiction. Moreover, the District Court stated, "**[T]here has already been an unreasonable delay in the resolution of this matter because of T-Mobile's transparent litigation strategy.**"

The Eighth Circuit denied T-Mobile's request for an injunction to prevent blocking on the LEC-to-LEC network. Thus, Respondents are entitled to block T-Mobile's traffic pursuant to the PSC's ERE Rules. The Commission's ERE Rules have the force and effect of law, and Respondents have complied with those rules. T-Mobile, on the other hand, has pursued a constant course of delay and litigation. Every other wireless carrier in Missouri has played by the rules and paid for its calls. The Commission should decline to reward T-Mobile's "transparent litigation strategy."

WHEREFORE, having fully answered the Complaint, Respondents request that the Complaint be dismissed for failure to state a claim with respect to which relief can be granted and for such other relief as may be appropriate in the circumstances. In the alternative, should the Commission decline to dismiss this case, then Respondents respectfully request that the Commission grant their Motion for Summary Determination which is being filed on this same day and specifically find and conclude that Respondents are entitled to begin blocking T-Mobile's calls over the LEC-to-LEC network pursuant to both: (1) the ERE Rule, and (2) state and federal law that allows for blocking or disconnection of service for nonpayment.

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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was emailed this 12th day of July, 2006, to the following parties:

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