

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

In the Matter of Southwestern Bell Telephone,)	
L.P., d/b/a SBC Missouri's Request for)	Case No. TO-2006-0093
Competitive Classification Pursuant to Section)	Tariff File No. YI-2006-0144
392.245.6 RSMo (2005) - 30-Day Petition.)	

AFFIDAVIT OF CRAIG A. UNRUH

STATE OF MISSOURI)	
)	SS
CITY OF ST. LOUIS)	

I, Craig A. Unruh, being of lawful age and being duly sworn upon my oath, do hereby depose and state as follows:

1. My name is Craig A. Unruh. My business address is One SBC Center, Room 3528, St. Louis, Missouri 63101. I am employed by Southwestern Bell Telephone, L.P., d/b/a SBC Missouri ("SBC Missouri") and serve as its Executive Director-Regulatory. I am responsible for advocating regulatory policy and managing SBC Missouri's regulatory organization. I previously filed Direct Testimony in this case on September 13, 2005, which has been admitted into evidence at the September 16, 2005 hearing, as Exhibit 1.
2. In this Affidavit, I provide:
 - In response to Big River, information from SBC Missouri's internal business records documenting the service migration of residential end users customers in the Farmington and Sikeston exchanges and business end users in the Marble Hill and Bonne Terre exchanges from an unbundled network element-platform ("UNE-P") to Big River Telephone's own facilities. These records show that the end users are receiving basic local telecommunications service from Big River;
 - In response to NuVox, information that confirms that NuVox is listed in the E911 Database as a provider of local service to a business customer in the Excelsior Springs exchange.
 - In response to Sprint, information in the E-911 database establishes that Sprint is a provider of service to residential customers in the St. Joseph exchange. If, as Sprint maintains, the service provider is actually another CLEC, then the use of Sprint's switching service along with that provider's coaxial local loops also satisfies



the requirement of the statute for competitive classification in the St. Joseph exchange.

- In response to Staff, information from the Local Exchange Routing Guide (“LERG”) shows that wireless carriers identified by SBC Missouri in its Petition are providing service through local wireless numbers in virtually all of those exchanges (i.e., they provide wireless numbers that can be used to make calls to and receive calls from landline customers in the exchange on a locally dialed and toll free basis). I provide similar information for the additional exchanges identified by Staff as qualifying for competitive classification under the 30-day criteria.

Response to Big River

3. When a CLEC migrates an end user customer from SBC Missouri’s UNE-P service (under which a CLEC purchases switching and loop elements) to a CLEC’s own facilities, SBC Missouri’s internal business records reflect the disconnection of the particular CLEC customer’s loop from SBC Missouri’s switch or the disconnection of both the loop and the switch. These records specifically show the porting of an end user’s telephone number (indicating that the CLEC will be using its own switching and loop facilities to provide service) or the porting of a telephone number and an SBC Missouri loop (indicating that the CLEC will be using its own switch and SBC Missouri’s loop to provide service).
4. In Exhibit 2 admitted during the September 16, 2005 hearing, SBC Missouri identified Big River as providing basic local telecommunications service to business customers in the Bonne Terre and Marble Hill exchanges based in part on migration orders to move customers from UNE-P to Big River’s own facilities. Exhibit 2 also identified Big River as providing basic local telecommunications service to residential customers in the Farmington exchange (based in part on similar migration orders) and in the Sikeston exchange (based in part on directory listings).
5. Attached as Attachment 1(HC) to this Affidavit is a summary of migration orders issued by Big River and completed by SBC Missouri from January 1, 2005 through June 30, 2005 for the Bonne Terre (business), Farmington (residence) Marble Hill (business) and Sikeston (residence) exchanges. In Attachment 2(HC), I am attaching a sample of actual migration orders that were submitted by Big River and worked by SBC Missouri for the Bonne Terre, Marble Hill, Farmington and Sikeston exchanges. Attachment 2(HC) also contains documentation from porting databases that demonstrate the telephone number has been ported to Big River and now remains with Big River. It also contains documentation showing that SBC Missouri is providing a working circuit to Big River representing the UNE loop purchased from SBC Missouri by Big River to serve the customer whose number has been ported (applies only to ported loops).

Response to NuVox

6. In Exhibit 3 admitted during the September 16, 2005 hearing, SBC Missouri identified NuVox as a provider of business services in Excelsior Springs using its own facilities, in whole or in part, based on E-911 listings. SBC Missouri explained that the appearance of a CLEC customer with an E-911 listing for an exchange in the E-911 database reflects the CLEC's provision of service in that exchange utilizing its own switching.
7. Although NuVox in its September 20, 2005 Response indicated that it is not able "to categorically deny" providing basic local telecommunications services in the Excelsior Springs exchange, it stated that "to the best of its knowledge" and "according to information available within the limited time allowed by the Commission's order," it does not provide basic local telecommunications services in that exchange.
8. At my direction, SBC Missouri has reviewed the E-911 listings for Excelsior Springs in the E-911 database on September 20, 2005. Based on this review, I can confirm that NuVox is listed as a provider of local service to a business customer in the Excelsior Springs exchange. NuVox currently has ** ** E-911 listings for Excelsior Springs in the E911 database. In response to a data request, SBC Missouri has provided Staff with the information concerning this customer. The classification of a customer's local service provider is considered proprietary to that customer.

Response to Sprint

9. In Exhibit 2 admitted into evidence during the September 16, 2005 hearing, SBC Missouri, based on E-911 listings, identified Sprint as a provider of residential local service utilizing its own facilities in whole or in part in the St. Joseph exchange. SBC Missouri explained that the appearance of a CLEC customer with an E-911 listing for an exchange in the E-911 database reflects the CLEC's provision of service in that exchange utilizing its own switching. In its September 20, 2005 Response to the Commission's Order, Sprint stated that it was providing telecommunications services in support of the provision of local voice service by another provider in the St. Joseph exchange.
10. Based on conversations I have had with Sprint representatives, competitive disconnect survey information indicating that former SBC Missouri customers now receive service from St. Joseph CableVision, and reviewing advertising of St. Joseph CableVision (which was admitted into evidence during the September 16, 2005 hearing as Exhibit 4) it is my understanding that St. Joseph CableVision provides local voice service in the St. Joseph exchange utilizing its own loops in conjunction with Sprint's switching facilities.



11. SBC Missouri conducts surveys of its former customers who have discontinued service to determine the reasons these customers have disconnected. Surveys of customers who have discontinued service in the St. Joseph exchange establish that these customers have discontinued service in order to subscribe to service from St. Joseph CableVision.

Response to Staff

12. SBC Missouri in Exhibits A-1 and A-2 to its Petition identified that there is at least one provider of wireless service in each requested exchange.¹ SBC Missouri obtained this information from Let'sTalk.com, a publicly available website that lists, for any Zip Code entered, the wireless carriers providing service in that area and various wireless rate plans offered by each carrier. I also included these two exhibits in my Direct Testimony, which was filed in this case on September 13, 2005. Based on a review of the Local Exchange Routing Guide ("LERG"), I can also confirm that each remaining exchange listed in Exhibits A-1 and A-2 has at least one wireless carrier providing service using telephone numbers local to that exchange (i.e., the wireless carrier makes available a telephone number that can make calls to and receive calls from landline end users in that exchange on a toll free basis).
13. In its September 20, 2005 filing, Staff provided a list of 52 exchanges summarizing its findings on whether the wireless carriers SBC Missouri identified in its application for those exchanges has local numbers in the exchange. Based on our review of Staff's filing, I can state:
 - In 22 of the exchanges in Staff's list, our investigation confirms Staff's conclusion that the wireless carrier SBC Missouri identified directly has telephone numbers within the listed exchange. These exchanges are marked by "yes" under the column heading "Does the Wireless Provider Offer Customers a Local Number?" in Staff's Response. These exchanges are: Advance, Cape Girardeau, Festus-Crystal City, Fredericktown, Fulton, Joplin, Kansas City, Lake Ozark-Osage Beach, Manchester, Marble Hill, Maxville, Monett, Nevada, Perryville, Pocahontas-New Wells, Poplar Bluff, Sikeston, Springfield, St. Charles, St. Genevieve, St. Joseph and St. Louis.
 - In 19 of the exchanges Staff notes that the wireless carrier SBC Missouri identified does not directly have numbers within the listed exchange, but has numbers within an adjacent exchange that has an Extended Area Service ("EAS") arrangement with the listed exchange. This allows wireless subscribers with such numbers to

¹ At the hearing, SBC Missouri withdrew its request for competitive classification for business service in five exchanges served by SEMO.

make calls to and receive calls from landline end users in the listed exchange on a locally dialed and toll free basis. For example, in the Antonio exchange where SBC Missouri identified Verizon as a wireless provider, Staff has explained in its September 20, 2005 filing that Verizon has local numbers in Maxville and Cedar Hill, each of which has an EAS arrangement with Antonio.

Accordingly, Antonio customers can utilize Verizon's wireless numbers from Maxville and Cedar Hill to make calls to and receive calls from all other customers in Antonio on a locally dialed and toll-free basis. Our investigation confirms Staff's findings. These exchanges are not marked either "Yes" or "No" under the column heading "Does the Wireless Provider Offer Customers a Local Number?" in Staff's Response. These exchanges are: Antonia, Bell City, Camdenton, Chesterfield, Delta, Eldon, Eureka, Fenton, Gravois Mills, Harvester, Herculaneum-Pevely, High Ridge, Imperial, Jackson, Pond, San Antonio, Scott City, Valley Park, and Wyatt.

- Staff identifies six exchanges (Clever, Excelsior Springs, Grain Valley, Greenwood, Pacific, and Smithville) that are part of a larger Metropolitan Calling Area ("MCA") and states that local numbers are not available. I disagree with that conclusion. While the wireless carrier SBC Missouri identified does not directly have numbers within the listed exchange, the wireless provider identified by SBC Missouri uses numbers from an exchange in the mandatory portion of the MCA to provide service to customers in the identified exchange (*i.e.*, a customer in the identified exchange may obtain service from its wireless carrier by utilizing a number associated with the mandatory MCA). In these cases, all of the customers within the mandatory portions of the MCA, as well as all subscribers to MCA service in the optional exchanges, may make calls to and receive calls from a wireless subscriber in the designated exchange on a locally dialed and toll free basis. Wireless customers choose to provide services to their customers in these identified exchanges on that basis precisely because that meets the needs of those customers. Those customers want to call to and receive calls from the vast majority of customers within the MCA on a locally dialed and toll free basis, and this arrangement permits that to occur. The wireless customers in those six exchanges are effectively able to use a "local number" in receiving service.
- Of the six exchanges Staff identifies as part of a larger MCA, I would note that two of them also have local wireless numbers available through other wireless carriers. In Excelsior Springs, Sprint-Nextel has local numbers in the exchange. And in Pacific,

three is an EAS route with Gray Summit. T-Mobile has local numbers in Gray Summit.

- Staff also listed five non-MCA exchanges where the wireless carrier SBC Missouri identified as providing service in the exchanges does not have local numbers. Our review of the LERG, however, shows there are other wireless carriers providing service in those exchanges that either directly have local numbers within the listed exchanges or in an exchange with an EAS arrangement with the listed exchanges. In Bonne Terre, there is an EAS route with the Flat River exchange and U.S. Cellular has local numbers in Flat River. In Farmington, there is an EAS route with Flat River and U.S. Cellular has local numbers in Flat River. In Flat River, U.S. Cellular has local numbers. In Sedalia, both Sprint-Nextel and T-Mobile have local numbers in the exchange. And in Washington, Sprint-Nextel has local number in the exchange.

14. Although not listed in its September 20, 2005 filing, Staff in its September 12, 2005, Recommendation identified 16 additional exchanges that qualify for competitive status under the 30-day criteria:

<u>Exchange</u>	<u>Class of Service</u>
Joplin	Residential
Archie	Business
Ash Grove	Business
Billings	Business
Booneville	Business
Carthage	Business
Cedar Hill	Business
Chaffee	Business
Farley	Business
Linn	Business
Marshall	Business
Mexico	Business
Moberly	Business
Montgomery City	Business
St. Clair	Business
Union	Business

15. Based on our review, I can confirm Staff's conclusion that there is at least one wireless carrier providing service in each of these exchanges. I can also confirm from our review of the LERG:

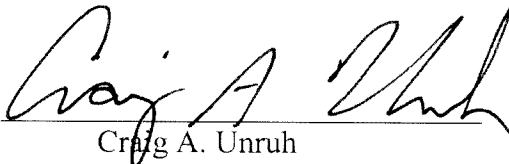
- In 8 of the listed exchanges (Booneville, Carthage, Cedar Hill, Chaffee, Marshall, Mexico, Moberly, and Joplin), there is at least

one wireless carrier that directly has local numbers within the listed exchange.

- In 2 of the listed exchanges (Archie and Union), there is at least one wireless carrier that has codes within an adjacent exchange that has an EAS arrangement with the listed exchange, which allows wireless subscribers with such numbers to make calls to and receive calls from landline end users in the listed exchange on a locally dialed and toll free basis.
 - Three of the exchanges (Ash Grove, Billings, and Farley) are located within an MCA area and a wireless provider offers service to customers in those exchanges using numbers associated with an exchange in the mandatory portion of the MCA. Customers of the wireless providers in these three exchanges are able to place and receive calls, on a locally dialed and toll free basis, from and to the vast majority of customers in the MCA, including all customers in the mandatory MCA areas and all MCA subscribers in the optional MCA areas.
 - The Farley exchange also has two CLECs providing basic local telecommunications service: McLeodUSA and NuVox using their own facilities in whole or in part.
16. In an effort to assist the Commission in its analysis, I am attaching as Attachments 3 and 4 expanded versions of Exhibits 2 and 3 from the September 16, 2005 hearing that contains an additional column describing the local numbers being provided by the wireless carriers identified as providing service in the listed exchange (or being provided by another wireless carrier in the exchange).
17. In addition to the specific local numbers provided by the wireless carriers in the requested exchanges, I would also point out that wireless carriers have the right under federal law to port a landline telephone number that is being used by the wireless subscriber for his or her landline telephone service and use that landline number as his or her wireless telephone number. When such porting occurs, SBC Missouri's rating of calls to the "old" landline number do not change. Accordingly, a wireless customer using a ported landline number can continue to place calls to, and receive calls from, customers in the exchange on a locally dialed and toll free basis.
18. This concludes my affidavit.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on September 21, 2005.


Craig A. Unruh
Executive Director-Regulatory

STATE OF MISSOURI)
) SS
CIT OF ST. LOUIS)

Subscribed and sworn to before me this 21st day of September, 2005.


Notary Public

