

FILED²

OCT 4 1999

Missouri Public Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

In the matter of the Mid-Missouri Group companies filing to revise its Access Service Tariffs.) Case No. TT-99-428, et al.

Mid-Missouri Group Position Statement

Comes now the Mid-Missouri Group, pursuant to the procedural schedule Order, and sets forth its position on the agreed list of issues, as follows:

1. Is the tariff proposed by the MMG lawful as applied to wireless or CLEC traffic ?

Yes. Access tariffs apply until superseded by either an interconnection agreement or a reciprocal compensation agreement. When three carriers collaborate to complete a call, access is an appropriate method of intercompany compensation.

§ 251(c)(2) of the '96 Telecom Act addresses interconnection agreements. This section specifies that interconnection agreements applies for a direct physical interconnection of the requesting carriers (CLEC or wireless carrier) at a feasible point within the ILECs network. This concerns two carriers. Interconnection Agreements cannot be compelled for traffic CLECs and wireless carriers "transit" through interexchange carriers.

§ 251(b)(5) of the Act addresses reciprocal compensation. This section specifies that reciprocal compensation is for the transport and termination of telecommunications. FCC rule and decisions specify that transport involves a direct physical interconnection between two carriers. Reciprocal compensation agreements cannot be compelled for traffic CLEC and wireless carriers "transit" through interexchange carriers.

2. If lawful, should the tariff proposed by the MMG be approved ?

Yes. As the above position demonstrates, it is lawful for access rates to be applied to traffic a CLEC or wireless carrier collaborates with an IXC to terminate to the MMG ILECs. As the tariffs provide that access applies unless superseded by an approved agreement, the tariff follows the law, and should be approved.

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ANDERECK, EVANS, MILNE
PEACE & BAUMHOER

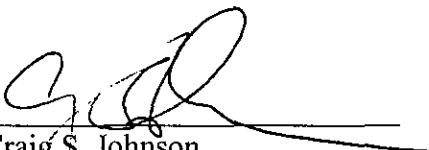
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ATTORNEYS FOR MMG

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was mailed, U. S. Mail, postage pre-paid, this 4th day of October, 1999, to all counsel of record.


Craig S. Johnson