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January 18, 2000

VIA HAND-DELIVERY & FEDERAL EXPRESS

Mr. Dale H. Roberts  
Secretary/Chief Regulatory Law Judge  
MISSOURI PUBLIC SERVICE COMMISSION  
301 W. High Street, Suite 530  
Jefferson City, MO 65101

FILED<sup>2</sup>

JAN 18 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

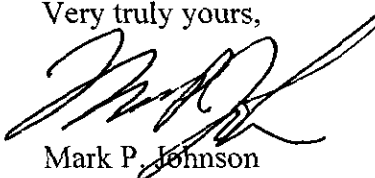
Dear Mr. Roberts:

Enclosed for filing with the Commission are an original and fifteen copies of DIECA Communications, Inc. d/b/a Covad Communications' Second Amended Notice of Deposition in the above-referenced matter. Please return a filed-stamped copy of the notice to me in the enclosed return envelope. **This notice is being filed with the Commission via hand-delivery by Jeff City Filing on this date.**

By copy of this letter, I have mailed a copy of the enclosed to all parties of record.

Thank you for bringing this matter to Commission's attention.

Very truly yours,



Mark P. Johnson

MPJ/rgr  
Enclosures  
cc: All Parties of Record (w/encl.)

FILED

JAN 18 2000

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Missouri Public  
Service Commission

In the Matter of the Petition )  
of DIECA Communications, Inc. d/b/a )  
Covad Communications Company for ) Case No. TO-2000-322  
Arbitration of Interconnection Rates, Terms, )  
Conditions and Related Arrangements )  
With Southwestern Bell Telephone Company )

**SECOND AMENDED NOTICE OF DEPOSITION**

**TO: Mr. Paul Lane, Southwestern Bell Telephone Company**

Pursuant to the Missouri Public Service Commission's Arbitration Procedures, Rule 4 C.S.R. 240-2.090(1) of the Missouri Public Service Commission's Practice and Procedure Rules, and Rules 56.01 and 57.03 of the Missouri Rules of Civil Procedure, Defendant DIECA Communications, Inc. d/b/a Covad Communications Company hereby requests that Southwestern Bell Telephone Company ("SWBT") designate a witness or witnesses competent to testify on January 26, 2000 about the following matters:

1. **Cost-Related Issues**—Covad intends to explore the following cost-related issues: (1) the basis for SWBT's input assumptions for its nonrecurring cost studies for loop qualification and "conditioning," its recurring cost study for digital loops and its recurring and nonrecurring cost studies for shielded cross-connections; (2) the consistency between the assumptions and modeling approach in the aforementioned studies and the corresponding cost studies that SWBT relies on for analog loops and non-shielded cross-connections; (3) the reasons for changes in SWBT's costing methodology and assumptions across different generations of loop qualification and "conditioning" cost studies provided in response to discovery; (4) the consistency between SWBT's costing methodology and assumptions and the most efficient, forward-looking

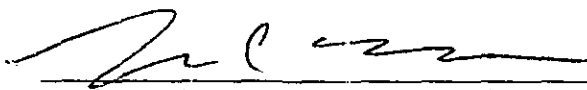
engineering practices, procedures and technology described in the various engineering guidelines, internal e-mail communications and other documents provided in response to discovery; and (5) any other cost-related issues in this arbitration.

2. **Outside Plant Related Issues**—Covad intends to explore the following outside plant related issues: (1) the interpretation of, SWBT's adoption of, and SWBT's promulgation of generally accepted outside plant engineering methods and procedures, including those advocated by Bellcore (now Telcordia Technologies, Inc.); (2) the basis for SWBT's input assumptions for its nonrecurring cost studies for loop qualification and "conditioning", its recurring cost study for digital loops, and its recurring and nonrecurring cost studies for shielded cross-connections; (3) SWBT's interpretation of "forward-looking" design as used in these proceedings; (4) SWBT's use of various high-production construction techniques such as modular splicing; (5) past and current SWBT policies and practices for planning outside plant, detailed engineering of outside plant, procuring materials for outside plant, construction of outside plant, and maintenance of outside plant facilities; (6) the consistency between SWBT's costing methodology and assumptions and the most efficient, forward-looking engineering practices, procedures and technology described in the various engineering guidelines, internal e-mail communications and other documents provided in response to discovery; (7) methods used to gather opinions of SWBT's experts, and the manipulation of data to determine input values for cost studies utilized in these proceedings; and (8) any other outside plant related issues in this arbitration.

Counsel for SWBT is required, prior to the deposition, to designate the witness or witnesses who will testify about the matters previously described. The deposition of the designated witness on cost-related issues will take place on January 26, 2000, at the offices of Southwestern Bell, One

Bell Center, St. Louis Missouri, starting at 8:30 a.m., immediately followed by the deposition of the designated witness on outside plant related issues. Counsel for SWBT is directed to bring all highly confidential SWBT documents in this arbitration to these depositions. The depositions will be taken before a stenographic reporter or other person duly authorized to administer oaths.

Respectfully submitted,



Mark P. Johnson MO #30740

Lisa C. Creighton MO #42194

Sonnenschein, Nath & Rosenthal

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

CERTIFICATE OF SERVICE

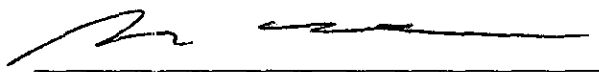
I hereby certify that a true and correct copy of the above and foregoing was transmitted via ~~hand delivery~~, facsimile and mailed, postage prepaid, this 19<sup>th</sup> day of January, 2000, to:

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

With copies being mailed on the same date, postage prepaid, to:

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