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May 14, 2002

Secretary of the PSC
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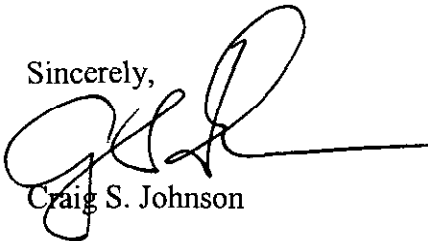
Re: Case No.TO-99-593

Dear Mr. Roberts:

Enclosed please find an original and eight (8) copies of the MITG's Response to the Staff's May 7th Report regarding OBF Issue 2056. A copy of this filing along with a copy of this cover letter has been served upon all attorneys of record.

Thank you for seeing this filed.

Sincerely,



Craig S. Johnson

CSJ:sw

Enc.

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

In the Matter of the Investigation into	)	
Signaling Protocols, Call Records,	)	
Trunking Arrangements, and Traffic	)	Case No. TO-99-593
Measurement.	)	

**Response of the MITG to Staff's May 7 Report
on the Status of Implementation of
Ordering and Billing Forum Issue 2056**

Comes now the Missouri Independent Telephone Company Group (MITG), and submits the following Response to the May 7, 2002 Report of Staff on the Status of Implementation of Ordering and Billing Forum Issue 2056. Staff's Report fails to advise the Commission that the former Primary Toll Carriers are advocating a position which the MITG believes is inconsistent with the Commission's expectations when it ordered implementation of OBF Issue 2056. Because of the potential significance of this development with respect to further proceedings, the MITG believes that immediate notification to the Commission is warranted.

The former PTCs take the position that OBF Issue 2056 does not apply to traffic on the Feature Group C common trunks—the traffic for which this docket was created. Given the former PTC position, it is unlikely there will be any progress in implementing OBF Issue 2056 for this traffic. Unless OBF Issue 2056 is implemented for this traffic, OBF Issue 2056 can have no efficacy in reducing billing discrepancies or reducing the difficulty in resolving such discrepancies, as the Commission Ordered in its December 13, 2001 Order Directing Implementation. The MITG sets forth the following:

1. TO-99-593 was created to review terminating compensation systems that would be utilized for traffic the former PTCs would deliver to former SCs after termination of the PTC Plan. During the PTC Plan, the business relationship that existed was that the PTC paid for all intrastate traffic it delivered to the SC over the Feature Group C common trunks, with the exception of FGA traffic. In other words, when SWBT delivered traffic originated by Sprint or GTE, SWBT paid the terminating SC for the traffic it delivered for Sprint or GTE.

2. After termination of the PTC Plan, the former PTCs, without Commission Order, changed this relationship. Since termination of the PTC Plan, the former PTCs began paying the former SCs based upon what former PTC originated the traffic, not which PTC delivered the traffic. The former PTCs have also begun delivering other types of traffic over the FGC common trunks, originated by other carriers who were not PTCs or SCs under the PTC Plan.¹

3. This docket, TO-99-593, was created by Order dated June 10, 1999 in TO-99-254. The Commission entered its December 13, 2001 Order Directing Implementation of OBF Issue 2056. The MITG believes that it is clear, from the following excerpts from that Order, that the Commission did in fact intend that OBF Issue 2056 to be applied to the traffic at issue here:

“Verizon presented evidence from Kathryn Allison concerning Issue 2056 developed by the Ordering and Billing Forum. Ms. Allison testified, and the Commission finds, that Issue 2056, when implemented, will streamline record exchanges and provide a local and intraLATA meet-point record exchange process. It will set up a consistent meet-point (or similar) process for records exchanges for facilities-based LECs, CLECs, and wireless carriers covering

¹ This has been done despite the small company tariff language indicating that, with the implementation of intraLATA presubscription that occurred simultaneously with termination of the PTC Plan, Feature Group C connection would no longer be provided.

access, local, and intraLATA usage. It specifies that **each provider will be responsible for recording its own originating and terminating usage, allowing LECs to bill terminating usage and/or do bill validation.** Issue 2056 provides that any carrier that handles a call can get records from any other carrier handling the call, and so may **make it easier to track down discrepancies and identify the appropriate carrier to bill.** A terminating LEC will be able to request records from all carriers back to the one originating the call to ensure that it can bill the proper carrier for termination.” [Page 3 of Order, emphasis added.]

“Implementing Issue 2056 is a reasonable step toward resolving issues related to call records and traffic measurement. The enhanced record exchange provided for in Issue 2056 should not only reduce the number of billing discrepancies, but also should make it easier to resolve those that do arise.” [Page 4 of Order]

The Commission will not as STCG and MITG advocate, simply shift to an upstream carrier the responsibility for unidentified traffic and traffic for which the terminating company does not have compensation agreements. This is not to say that the Commission will not consider in the future the changed business relationship that the STCG and MITG propose.” [Pages 4 and 5 of the Order]

This language leaves no doubt in the MITG’s mind that the Commission intended OBF 2056 to be implemented for all traffic the former PTCs were placing on the FGC trunks—their traffic, wireless carrier traffic, and CLEC traffic. The former PTCs, however, are taking contrary positions.

4. The former PTCs now take the position that OBF Issue 2056 only applies to IXC traffic (FGD traffic), and does not apply to any traffic they have placed on the LEC to LEC FGC common trunks. The following excerpts of the position statements of the former PTCs illustrates:

- a. *What changes to records currently exchanged between the parties, or for records to be exchanged between the parties, will be necessary in order to implement OBF 2056 to bill originating compensation?*

ALLTEL, Sprint, SWBT and Verizon

Currently, originated Interexchange Carrier (IXC) carried 1+ calls are recorded at the originating LEC’s end office. The originating end office LEC then bills off its own recording and sends the parties in the route 11-

50 summary records which the other parties then use to bill their portion of the call path to the IXC.

With implementation of OBF 2056, the end office (EO) LEC is no longer required to produce and send 11-50 summary records to the other parties. If the other parties cannot record the originating traffic, then they can obtain billing information from the EO LEC.

The above process applies to originating 1+ traffic bound for an IXC. Compensation for LEC carried access traffic under negotiated and existing state settlement plans will not be affected by OBF 2056 and originating compensation does not apply to local traffic originated by a CLEC or CMRS. The MECAB Issue 7, Section 6.5 states: "While the industry recognized that settlement plans between LECs are used, these are state or contract specific and are not included in the MECAB guidelines."

- b. Will it be necessary for the former PTCs to convert their 92 record systems, and to convert the "modified category 11" records provided to former SCs, to a true category 11 record compliant with MECAB standards in order to comply with OBF 2056?***

ALLTEL, Sprint, SWBT and Verizon

No. OBF 2056 does not require modifications to the current record systems. The current record exchange and settlement processes were developed by the ILECs participating in the intraLATA toll settlement plan prescribed by the Missouri Commission. The exchange of originating records (whether it be 92 records or the modified Cat 11 records) was designed to accommodate recording capability limitations inherent to the intraLATA LEC to LEC FGC network. The MECAB Issue 7, Section 6.5 states: "While the industry recognizes that settlement plans between LECs are used, these are state or contract specific and are not included in the MECAB guidelines."

- g. Are any additional requirements necessary for recording and record exchanging for MCA traffic, Local Plus traffic, ported CLEC traffic, UNE-P CLEC traffic, or wireless-originated traffic?***

ALLTEL, Sprint, SWBT and Verizon

OBF 2056 does not require modifications to these current record systems. OBF 2056 eliminated the 11-50 summary record exchange process for IXC carried traffic.

h. How does the implementation of OBF 2056 and its enhanced record exchange address the concerns relating to unidentified traffic?

ALLTEL, Sprint, SWBT and Verizon

The implementation of MECAB guidelines that incorporate the OBF 2056 recommendations do not specifically address "unidentified traffic." However, the implementation of OBF 2056 allows the parties that cannot record the traffic to obtain usage information from the recording companies. This exchange of information will help carriers identify and bill for traffic that is currently unidentified and is consistent with the principles inherent in the MECAB process.

5. From these positions, it can be readily inferred that the former PTCs are attempting to preclude OBF Issue 2056 from being implemented for the traffic traversing the FGC "common trunks". It is apparent the former PTCs only want OBF Issue 2056 applied to traffic traversing IXC FGD trunks. It is apparent that they want to continue the originating responsibility plan, to continue to act as gatekeeper for traffic on the common trunks, to continue to insist on a 92 record system for traffic the former PTCs exchange between themselves, and to continue to apply this 92 record systemf to the traffic of CLECs they interconnect with. Even though they have been ordered to use the category 11 records for traffic they deliver to the former SCs, they want to continue to use category 92 records for CLEC traffic delivered to the former SCs.

6. Verizon witness Allison was the champion in persuading the Commission to implement OBF Issue 2056. This Commission obviously relied heavily upon her testimony that OBF Issue 2056 would reduce or eliminate disputes regarding the traffic in this docket. Now Verizon says OBF Issue 2056 does not apply. This change of position is disturbing.

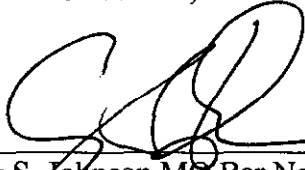
7. The MITG believes the former PTCs' position is contrary to the Commission's Order. The Order by its plain terms contemplated OBF Issue 2056 would be applied to all of the traffic on these trunks, and the Commission specifically believed the application of OBF Issue 2056 would eliminate the extent of "billing discrepancies" or "unidentified" traffic which is a significant part of the dispute between the former PTCs and former SCs.

8. The MITG believes that it will be necessary for the Commission to somehow resolve this impasse in order for the parties to determine the nature and extent of OBF Issue 2056 implementation. The MITG believes that allowing the small companies to effectuate their present tariff language discontinuing Feature Group C and implementing Feature Group D may present a solution to this impasse.² However, the MITG will continue to work toward implementing OBF Issue 2056. The MITG will await the filing of Staff's Report regarding the efficacy of OBF Issue 2056 prior to formally presenting such a request.

Wherefore, on the basis of the foregoing, the MITG respectfully requests that the Commission accept or consider this supplement to Staff's May 7 Status Report.

² This Commission has already determined that, for purposes of originating traffic in small company exchanges, the relationship of the former PTCs to the former SCs is that of an Interexchange Carrier (IXC), and that the former PTCs must comply with the small company tariff requiring the elimination of FGC and replacement with FGD. See pages 10 and 11 of the September 26, 2000 Report and Order in TC-2000-325. The small company tariffs requiring the exclusive use of FGD after termination of the PTC Plan do not distinguish between originating and terminating traffic. The Commission's decision logically should be equally applicable to terminating traffic. One result of compliance with the tariff could be to assure compliance with OBF Issue 2056. Even the former PTCs agree OBF Issue 2056 applies to IXC FGD traffic.

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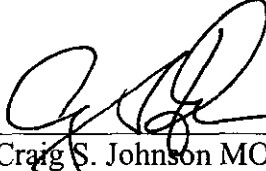
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ATTORNEYS FOR the MITG Group

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was mailed, via U.S. Mail, postage prepaid, this 14 day of May, 2002, to all attorneys of record in this proceeding.


Craig S. Johnson MO Bar No. 28179