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ROBERT G. SCHEMENAUER

KELVIN L. SIMMONS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>

January 16, 2001

BRIAN D. KINKADE
Executive Director

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Director, Research and Public Affairs

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Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. TO-2000-322

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of the **STAFF'S SUPPLEMENTAL RESPONSE TO NOTICE OF SETTLEMENT**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

William K. Haas
Deputy General Counsel
(573) 751-7510
(573) 751-9285 (Fax)

WKH:sw
Enclosure
cc: Counsel of Record

FILED²

JAN 16 2001

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

JAN 16 2001

Missouri Public
Service Commission

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

STAFF'S SUPPLEMENTAL RESPONSE TO NOTICE OF SETTLEMENT

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and for its supplemental response states:

1. On December 12, 2000, DIECA Communications, Inc. d/b/a/ Covad Communications Company (Covad) and Southwestern Bell Telephone Company (SWBT) filed their Notice of Settlement, which, *inter alia*, requests that this case be closed. The Notice of Settlement states that nothing in it is intended to change or affect SWBT's obligation under the March 23, 2000 Arbitration Order to perform cost studies and to submit confidential quarterly monitoring reports.

2. On December 20, 2000, the Staff filed its response to the Notice of Settlement, in which the Staff requests the Commission to keep this case open for the receipt of the cost studies and confidential quarterly monitoring reports. On December 22, 2000, SWBT filed its reply in which it suggests that a new case should be opened to receive the cost studies and the reports.

3. On January 5, 2001, the Commission issued an Order Directing Filing, which, *inter alia*, directs the Commission's Staff to file a supplement to its response advising the Commission whether a new case should be opened for the filing of cost studies and monitoring

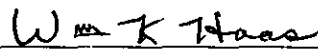
reports, the period of time Staff believes monitoring reports should be continued, and whether the reports may be filed directly with the Telecommunications Department in lieu of filing in a case file.

4. In the Staff's opinion, there is no need to open a new case for the filing of the cost studies which are due today in the instant case. In the Staff's opinion, there is also no need to open a new case for the filing of the monitoring reports because they may, if the Commission authorizes, be submitted directly to the Telecommunications Department in lieu of filing in a case file. In the Staff's opinion, the Commission should direct SWBT to submit the monitoring reports for each quarter through the fourth quarter of 2002, inclusive. This information will assist the Staff in monitoring the status of loop conditioning.

WHEREFORE, the Staff requests the Commission to direct Southwestern Bell to submit the monitoring reports to the Telecommunications Department for each quarter through the fourth quarter of 2002, inclusive.

Respectfully submitted,

DANA K. JOYCE
General Counsel



William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7510 (Telephone)
(573) 751-9285 (Fax)
e-mail: whaas01@mail.state.mo.us

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 16th day of January, 2001.

Wm K Haas

Service List for
Case No. TO-2000-322
Revised: January 16, 2001 (sw)

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Paul G. Lane/Mimi MacDonald/
Leo J. Bub/Anthony Conroy
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101

Mark P. Johnson/Lisa C. Creighton
Sonnenschein, Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111

Christopher Goodpastor
Covad Communications
9600 Great Hills Trail, Suite 150W
Austin, TX 78759