

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

NuVox Communications of Missouri, Inc.,)	
)	
Complainant,)	Case No. CC-2009-0435
)	
vs.)	
)	
)	
Southwestern Bell Telephone)	
Company d/b/a AT&T Missouri,)	
)	
Respondent.)	

STATEMENT OF DISPUTED MATERIAL FACTS

COMES NOW NuVox Communications of Missouri, Inc. (NuVox) pursuant to Commission Order Directing Filing and states that the following material facts remain in dispute¹ and require a finding by the Commission following a contested case hearing:

1. Does AT&T Missouri provide an intraoffice link between the loop and transport elements of the DS1 “Enhanced Extended Links” or “EELs” circuits that it leases to NuVox pursuant to the Missouri interconnection agreement?
2. If so, what is the nature of such a link: is it a cross-connect as AT&T Missouri asserts?
3. Does NuVox order such a link, or is it simply part of the complete EEL circuit that AT&T is required to provide under the agreement?
4. Is AT&T authorized by the agreement to impose an additional and separate charge on NuVox for such a link?
5. If so, at what rate?

¹ See Stipulation filed by the parties pursuant to Commission order.

6. Has NuVox timely followed dispute resolution procedures under the interconnection agreement?

WHEREFORE, NuVox requests the Commission to accept this statement and provide the relief that NuVox has requested in its Complaint.

CURTIS, HEINZ,
GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

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CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document was either mailed, faxed, or emailed this 30th day of September, 2009, to the persons listed on the attached service list.

/s/ Carl J. Lumley

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