

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

In the Matter of AT&T Communications of the)
Southwest Inc.'s Proposed Tariff to Establish a) **Case No. TT-2002-129**
Monthly Instate Connection Fee and Surcharge)

In the Matter of Sprint Communications Company,)
L.P.'s Proposed Tariff to Introduce an In-State) **Case No. TT-2002-1136**
Access Recovery Charge and Make Miscellaneous)
Text Changes)

In the Matter of MCI WorldCom Communications, Inc.'s)
Proposed Tariff to Add an In-State Access Recovery) **Case No. XT-2003-0047**
Charge and Make Miscellaneous Text Changes)

In the Matter of MCI WorldCom Communications,)
Inc.'s Proposed Tariff to Increase its Intrastate) **Case No. LT-2004-0616**
Connection Fee to Recover Access Costs Charged)
by Local Telephone Companies)

In Re the Matter of Teleconnect Long Distance)
Services and Systems Company, a MCI WorldCom) **Case No. XT-2004-0617**
Company d/b/a TelecomUSA's Proposed Tariff)
to Increase its Intrastate Connection Fee to Recover)
Access Costs Charged by Local Telephone Companies)

**SPRINT COMMUNICATIONS COMPANY L.P.'S
POSITION STATEMENT**

I. Based on the following sub-issues, should the Commission reject the AT&T, Sprint and MCI tariffs at issue in this case?

No. The Commission should not reject Sprint's In-State Access Recovery ("ISAR") surcharge tariff. The Missouri Court of Appeals remanded this case on the basis that the Commission's previous Order approving the tariff for Sprint's ISAR lacked sufficient findings of fact and conclusions of law. Sprint's tariff was not substantively criticized in any respect by the Court. Based on evidence in the record, Sprint's ISAR tariff should not be rejected by the Commission because it is based upon a valid access cost recovery rate design methodology for a competitive service in Missouri, pursuant to Section 392.500 RSM0 (2000).

- A. Should the Commission apply the provisions of subsection 392.200.1 to the AT&T, Sprint and MCI surcharges at issue, and if so, are the surcharges just and reasonable under subsection 392.200.1?**

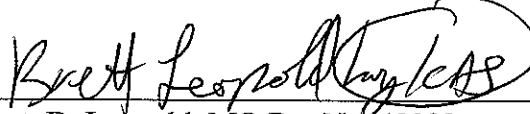
Sprint does not believe that the "just and reasonable" standard of RSMo. § 392.200.1 should apply to a competitive service, such as long distance telecommunications services in Missouri. As the Commission has stated in its Orders approving Sprint's ISAR and similar charges approved for other parties in this case, the competitive climate in which such services are offered is a viable substitute for regulation and ensures that consumers pay reasonable rates. Consumers are free to leave Sprint for numerous other alternative carriers if they do not feel that the ISAR is "just and reasonable in their own judgment as consumers.

- B. Do the AT&T, Sprint and MCI surcharges at issue comply with subsections 392.200.2 and 392.200.3 RSMo. (2000)?**

Sprint's ISAR surcharge is fully compliant with existing statutory requirements for competitive services in Missouri. Additionally, the ISAR is in compliance with the new, pending line item billing rule, 4 CSR 240-33.045. The evidence in this proceeding clearly demonstrates that the OPC's concern related to alleged "discrimination" is unfounded.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 10th day of August, 2005, a copy of the above and foregoing was served via U.S. Mail, postage paid and or email/facsimile to each of the following parties:

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