

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

In the Matter of the Request of Southwestern Bell )	
Telephone, L.P., d/b/a SBC Missouri, for )	Case No. TO-2006-0102
Competitive Classification Pursuant to Section )	Tariff File No. YL-2006-0145
392.245.6, RSMo (2005) – 60 day Petition. )	

**STAFF’S POST-HEARING EXHIBIT 11**

COMES NOW the Staff of the Missouri Public Service Commission and pursuant to the Commission’s directive files post-hearing Exhibit 11. This information was requested by the Commission’s October 7, 2005, Order Directing Filings which instructed the Staff to file supplemental information regarding the following:

- For each regulated provider of local voice service that SBC Missouri identifies as a competitor for business services in an exchange, does such provider have 2 or more business customers whose addresses are located within that exchange?
- For each regulated provider of local voice service that SBC Missouri identifies as a competitor for residential services in an exchange, does such provider have 2 or more residential customers whose addresses are located within that exchange?

At the conclusion of the hearing, the Regulatory Law Judge reserved Exhibit 11 for this information. (Tr. 280). The answers provided by the regulated providers are designated as Highly Confidential because they consider such information to be confidential.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

/s/ William K. Haas

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)  
[william.haas@psc.mo.gov](mailto:william.haas@psc.mo.gov)

### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 19<sup>th</sup> day of October 2005.

/s/ William K. Haas

William K. Haas

## **Late Filed Exhibit 11**

### **Commission Staff Response**

The Commission issued an Order Directing Filings on October 7, 2005. The Commission Staff filed a response to this directive on October 11, 2005. Staff's initial response provided residential and business access line quantities for the exchanges SBC Missouri, Inc. has requested competitive status in Case No. TO-2006-0102. Staff's initial response acknowledges such information does not directly answer the Commission's question as to whether a competitor is serving two or more customers whose addresses are located within that exchange. Staff did not readily have such information and requested further direction from the Commission. During the hearing for Case No. TO-2006-0102 held on October 12-13, 2005 Judge Ruth directed the Commission Staff to respond to the Commission's two questions: (1) Whether the competitor is providing service to 2 or more business customers whose addresses are located within the exchange, and (2) Whether the competitor is providing service to 2 or more residential customers whose addresses are located within the exchange. Judge Ruth indicated the Commission preference is for the companies to submit such information to the Commission Staff under a sworn affidavit.

The Commission Staff contacted by e-mail the regulated companies cited in Revised Unruh Schedule 2 (HC) contained in SBC witness Craig Unruh's Rebuttal Testimony. Staff's initial contact cited the Commission's October 7, 2005 Order Direction Filings and asked each company, "Is your company currently providing local voice service to two (2) or more business customers in each of the following telephone exchanges whose addresses are located within that exchange?" Staff then listed the

**NP**

exchanges where SBC identified the company as providing service to business customers, requesting a "Yes or No" beside each exchange. A similar question and format was used to address companies serving exchanges where SBC has requested competitive status for residential customers. Staff's e-mail also requested the company to state the name, title, address and phone number of the person responsible for responding to the request. Staff also indicated the Commission's preference for a signed affidavit to accompany this information. Staff followed-up the electronic correspondence by directly contacting company officials by phone to ensure they had received the e-mail and to see if they had any questions. Companies were given a deadline of 5:00 pm on October 18, 2005 to submit the information to Staff.

A total of eighteen (18) companies were contacted and all responded. The following companies responded:

ACN Communication Services, Inc.  
Allegiance Telecom of Missouri, Inc.  
Big River Telephone Company, LLC  
Birch Telecom of Missouri, Inc.  
Ernest Communications, Inc.  
Excel Telecommunications, Inc.  
Global Crossing  
Granite Telecommunications, LLC  
MCImetro Access Transmission Services, LLC  
McLeodUSA Telecommunications Services, Inc.  
Missouri Comm South, Inc.  
Navigator Telecommunications, L.L.C.  
NuVox Communications of Missouri, Inc.  
Sage Telecom, Inc.  
Sprint Communications Company, L.P.  
Trinsic Communications, Inc.  
VarTec Telecom, Inc.  
XO Communications Services, Inc.

**NP**

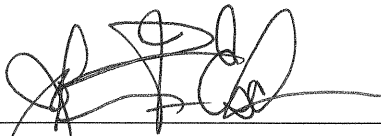
Attached is a summary of the company's responses. This summary is segregated based on SBC's request for competitive status for business services versus residential services. This summary identifies the exchange and the CLECs identified by SBC as providing local voice service in the exchange either under a commercial agreement or on a UNE-P basis. "Yes" indicates the CLEC has responded by saying the company is providing service to 2 or more customers in the exchange. "No" indicates the CLEC has responded by saying the company is not providing service to 2 or more customers in the exchange. Companies identified with "A" also supplied Staff with a signed affidavit. An "\*" indicates the company has not responded to this inquiry. The companies' responses and signed affidavits are also attached.

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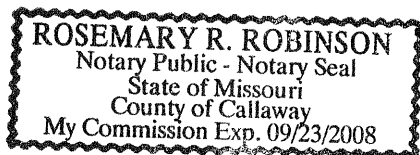
## AFFIDAVIT

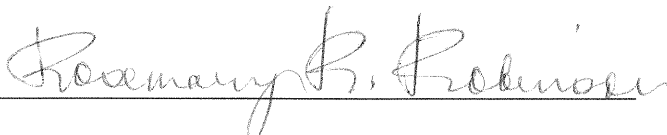
State of Missouri     )  
                                  )ss  
County of Cole        )

John Van Eschen, of lawful age on his oath states: that he is Manager of the Missouri Public Service Commission's Telecommunications Department; that he participated in the preparation of the attached Response, that he has knowledge of the matters set forth therein and that such matters are true to the best of his knowledge and belief.

  
\_\_\_\_\_  
John Van Eschen

Subscribed and sworn to before me this 19<sup>th</sup> day of October, 2005.



  
\_\_\_\_\_  
Notary Public

My commission expires

9-23-2008

**NP**

Attachment 1

**NP**

**EXHIBIT II  
STAFF SUMMARY  
IS DEEMED  
HIGHLY  
CONFIDENTIAL IN  
ITS ENTIRETY**

# AFFIDAVIT

State of Va )  
County of Fairfax ) ss

Kristi Shulman (name), of lawful age on his/her oath states: I am employed by XO Communications Services, Inc. (company name) as Exec. Director, Regulatory Affairs (title). I have knowledge of the number of business and residential customers served by XO Communications Services, Inc. (company name) in an exchange. The information provided in the attached sheet(s) answering whether XO Communications Services, Inc. (company name) has or does not have two or more business customers whose addresses are located within a listed exchange and whether XO Communications Services, Inc. (company name) does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

Kristi Shulman  
Signature

Subscribed and sworn to before me this 14<sup>th</sup> day of October 2005.

[Signature]  
Notary Public

My commission expires My Commission Expires December 31, 2009

**NP**



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OCT 17 2005

AFFIDAVIT

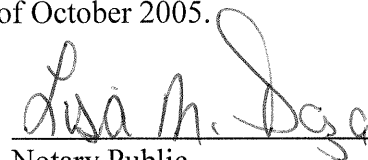
UTILITY OPERATIONS  
DIVISION

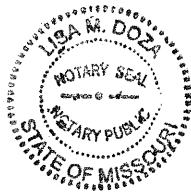
State of Missouri )  
 ) ss  
County of Cape Girardeau)

John F. Jennings of lawful age on his/her oath states: I am employed by Big River Telephone Company, LLC as Vice President - Controller. I have knowledge of the number of business and residential customers served by Big River Telephone Company, LLC in an exchange. The information provided in the attached sheet(s) answering whether Big River Telephone Company, LLC has or does not have two or more business customers whose addresses are located within a listed exchange and whether Big River Telephone Company, LLC does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

  
Signature

Subscribed and sworn to before me this 14<sup>th</sup> day of October 2005.

  
Notary Public



LISA M. DOZA  
NOTARY PUBLIC-STATE OF MISSOURI  
CAPE GIRARDEAU COUNTY  
MY COMMISSION EXPIRES JULY 14, 2006

My commission expires July 14, 2006

NP

**AFFIDAVIT**

State of Missouri     )  
                              ) ss  
County of Jackson    )

Stephen Spohrer, of lawful age on his oath states: I am employed by Birch Telecom of Missouri, Inc. (Birch) as Senior Manager, Transactional Taxes. I have knowledge of the number of business and residential customers served by Birch in an exchange. The information provided in the attached sheet answering whether Birch has or does not have two or more business customers whose addresses are located within a listed exchange and Birch does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

Steph Spoh  
Stephen Spohrer

Subscribed and sworn to before me this 18th day of October 2005.



BARBARA P. FILLINGER  
Jackson County  
My Commission Expires  
June 6, 2008

Barbara P. Fillinger  
Notary Public

My commission expires June 6, 2008

**NP**

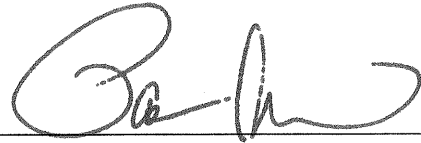
# AFFIDAVIT

State of Georgia)

) ss

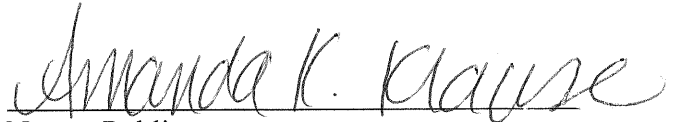
County of Gwinnett)

Mr. Paul Masters (name), of lawful age on his/her oath states: I am employed by Ernest Communications, Inc. (company name) as President (title). I have knowledge of the number of business and residential customers served by Ernest Communications, Inc. (company name) in an exchange. The information provided in the attached sheet(s) answering whether Ernest Communications, Inc. (company name) has or does not have two or more business customers whose addresses are located within a listed exchange and whether Ernest Communications, Inc. (company name) does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.



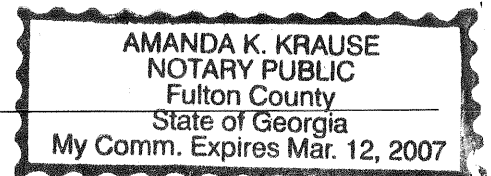
Signature

Subscribed and sworn to before me this 14<sup>th</sup> day of October 2005.



Notary Public

My commission expires \_\_\_\_\_

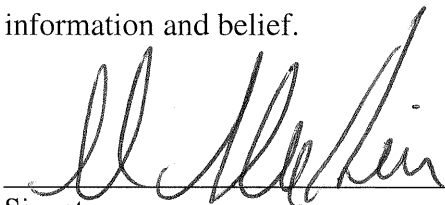


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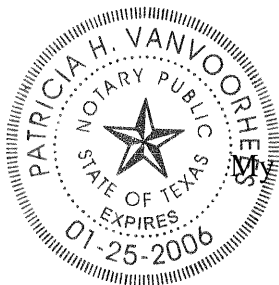
# AFFIDAVIT


State of Texas )  
 ) ss  
County of Dallas )

Alex Heien, of lawful age on his oath states: I am employed by Excel Telecommunications, Inc. as Director, Product Development. I have knowledge of the number of business and residential customers served by Excel Telecommunications, Inc. in an exchange. The information provided in the attached sheet(s) answering whether Excel Telecommunications, Inc. has or does not have two or more business customers whose addresses are located within a listed exchange and whether Excel Telecommunications, Inc. does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

  
Signature

Subscribed and sworn to before me this 17th day of October 2005.



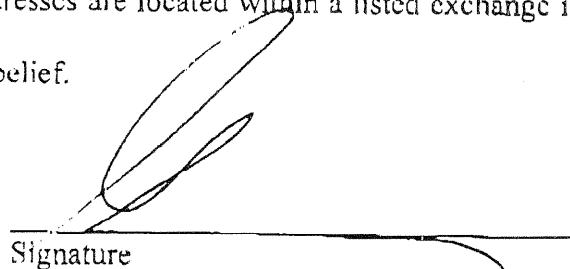
  
Notary Public

My commission expires 01-25-2006

**AFFIDAVIT**

State of Massachusetts       )  
  ) ss  
County of Norfolk            )

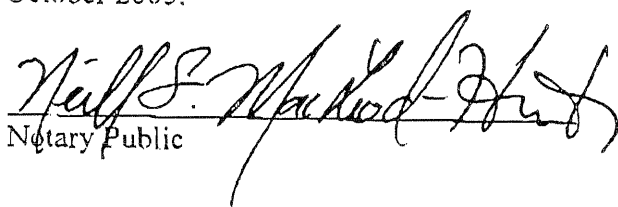
Geoffrey Cookman (name), of lawful age on his oath states: I am employed by Granite Telecommunications, LLC (company name) as Director of Regulatory Compliance (title). I have knowledge of the number of business and residential customers served by Granite Telecommunications, LLC (company name) in an exchange. The information provided in the attached sheet(s) answering whether Granite Telecommunications, LLC (company name) has or does not have two or more business customers whose addresses are located within a listed exchange and whether Granite Telecommunications, LLC (company name) does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Signature

Subscribed and sworn to before me this 18th day of October 2005.



NEIL SCOTT MacLEOD-HUNTER  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
October 6, 2011

  
\_\_\_\_\_  
Notary Public

My commission expires   October 6, 2011

**NP**

Attachment 3-6



**Michael D. Allentoff**  
Senior Manager—Regulatory Analysis  
1080 Pittsford Victor Road  
Pittsford, NY 14534-3805  
(585) 255-1424 (Tel)  
(585) 381-7592 (Fax)  
mike.allentoff@globalcrossing.com

October 19, 2005

Mr. Art Kuss  
Missouri Public Service Commission  
Telecommunications Department  
200 Madison Street  
Jefferson City, MO 65102-0360

VIA ELECTRONIC MAIL AS ACROBAT ATTACHEMENT

**Re: Attestation of Data Request Response for Global Crossing Telemanagement, Inc.**  
by the Missouri Public Service Commission (MoPSC) Order Directing Filings under Case  
No. TO-2006-0102, *in the matter of the request of Southwestern Bell Telephone, L.P., d/b/a*  
*SBC Missouri, for competitive classification pursuant to Section 392.245.6, RSMo (2005) -*  
*60-day petition* of October 07, 2005,

Mr. Kuss:

As requested, I hereby attest that I believe to the best of my knowledge that the data  
provided from company records on the attached email for the Case listed above to be  
correct for Global Crossing Telemanagement, Inc. Our records do not currently indicate  
that the company has two or more business or residential local voice customers in the  
exchanges listed in your attached data request.

Please feel free to contact me if you require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "M. D. Allentoff", written over a light blue horizontal line.

Michael D. Allentoff  
Senior Manager—Regulatory Analysis  
Global Crossing Telemanagement, Inc.

**NP**

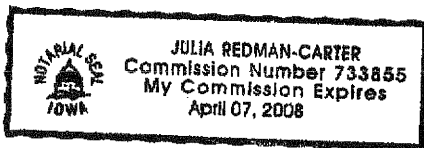
AFFIDAVIT

State of Iowa )  
County of Linn ) ss

William A. Jans (name), of lawful age on his/her oath states: I am employed by McLeodUSA Inc (company name) as Associate General Counsel (title). I have knowledge of the number of business and residential customers served by McLeodUSA Telecom Services Inc (company name) in an exchange. The information provided in the attached sheet(s) answering whether McLeodUSA (company name) has or does not have two or more business customers whose addresses are located within a listed exchange and whether McLeodUSA (company name) does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

William A. Jans  
Signature

Subscribed and sworn to before me this 19 day of October 2005.



Julia Redman-Carter  
Notary Public

My commission expires April 7, 2008

NP

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

STATE OF TEXAS                    )  
  ) ss.  
COUNTY OF DALLAS                )

I, Sheri Pringle , state that I am presently Director of Regulatory Affairs of Missouri Comm South, Inc. , a public utility regulated by the Missouri Public Service Commission; and further state that the information provided in response to TO-2006-0102 SBC MO Competition is true and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Sheri Pringle  
Comm South Companies, Inc.  
8035 E. RL Thornton, Suite 410  
Dallas, Texas 75228  
214-355-7005  
[springle\\_csc@hotmail.com](mailto:springle_csc@hotmail.com)

Dated: October 13, 2005

**NP**



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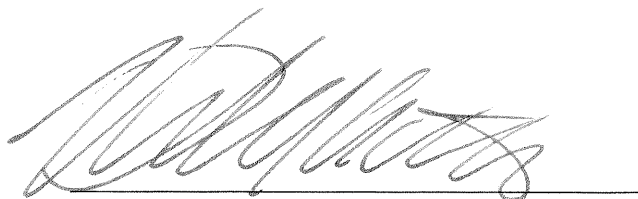
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OCT 17 2005

UTILITY OPERATIONS  
DIVISION

State of ARKANSAS)  
County of PULASKI) ss

Michael McAlister, of lawful age on his/her oath states: I am employed by Navigator Telecommunications, LLC. as General Counsel and Director of Regulatory Affairs. I have knowledge of the number of business and residential customers served by Navigator Telecommunications, LLC. in an exchange. The information provided in the attached sheet(s) answering whether Navigator Telecommunications, LLC. has or does not have two or more business customers whose addresses are located within a listed exchange and whether Navigator Telecommunications, LLC. does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

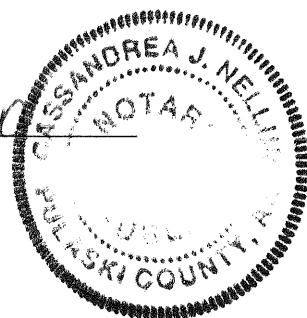


Signature

Subscribed and sworn to before me this 14<sup>th</sup> day of October 2005.

Cassandra J. Nellum  
Notary Public

My commission expires November 1, 2010



NP

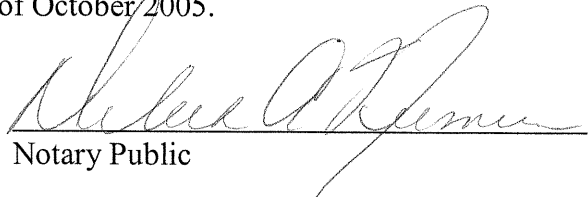
## AFFIDAVIT

State of Missouri     )  
                              ) ss  
County of St. Louis    )

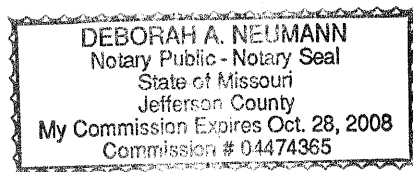
Edward J. Cadieux, of lawful age on his oath states in response to inquiry from the Missouri Public Service Commission Staff arising from Case No. TO-2006-0102, as follows: I am employed by NuVox, Inc. as Senior Regulatory Counsel with an office address of 16090 Swingley Ridge Road, Suite 500, Chesterfield, Missouri 63017 and telephone number 636-537-5743. I have knowledge of the number of local voice service customers served by NuVox Communications of Missouri, Inc. in an exchange in Missouri. To the best of my knowledge, information and belief, NuVox does have two or more business customers in the Ash Grove exchange and does not have any business customers in the Billings exchange.

  
Signature

Subscribed and sworn to before me this 17<sup>th</sup> day of October 2005.

  
Notary Public

My commission expires \_\_\_\_\_



**NP**

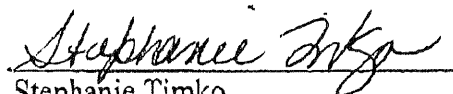
**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the matter of the request of Southwestern )  
Bell Telephone, L.P., d/b/a SBC Missouri, ) Case No. TO-2006-0102  
for competitive classification pursuant to )  
Section 392.245.6, RSMo (2005) - 60-day )  
Petition of October 07, 2005 )

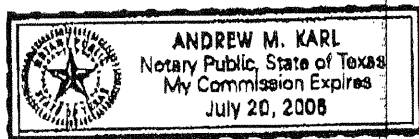
**AFFIDAVIT OF STEPHANIE TIMKO**

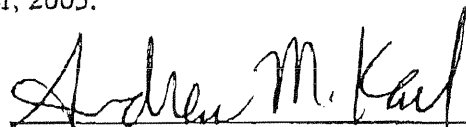
STATE OF TEXAS )  
 )  
COUNTY OF COLLIN )

Stephanie Timko, being of lawful age, on her oath states: that she has participated in the preparation of the foregoing Responses to the Staff of the MoPSC's request for information from CLECs identified by SBC Missouri as providing Local Voice Service in certain of its telephone service areas, consisting of one (2) pages to be presented in the above case; that she provided the answers in the foregoing Responses; that she has knowledge of the matters set forth in the responses; and that such matters are true and correct to the best of her knowledge and belief.

  
Stephanie Timko  
Director, Regulatory Affairs  
Sage Telecom, Inc.  
805 Central Expressway  
Allen, Texas 75013  
Tel. (214) 547-7135  
Fax (214) 495-4795

Subscribed and sworn to me this 13<sup>th</sup> day of October, 2005.





# AFFIDAVIT

State of Kansas       )  
                                  ) ss  
County of Johnson    )

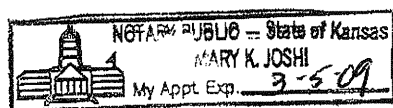
Stanley N. Brower, of lawful age on his oath states: I am employed by Sprint Management Company (company name) as Manager II, State Regulatory Affairs (title). I have knowledge of the number of business and residential customers served by Sprint Communications Company L.P. (company name) in an exchange. The information provided in the attached sheet(s) answering whether Sprint Communications Company L.P. (company name) has or does not have two or more business customers whose addresses are located within a listed exchange and whether Sprint Communications Company L.P. (company name) does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

Stanley N. Brower  
Signature

Subscribed and sworn to before me this 17<sup>th</sup> day of October 2005.

Mary K. Joshi  
Notary Public

My commission expires March 5, 2009

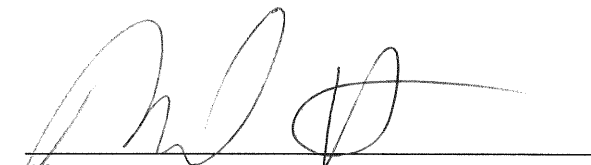


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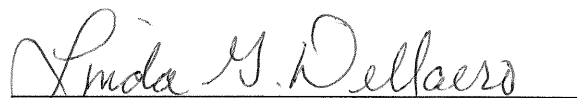
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State of Florida       )  
                                  ) ss  
County of Hillsborough

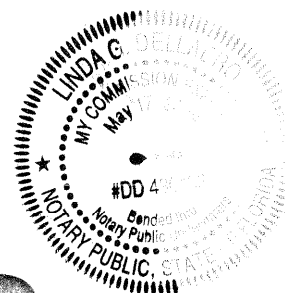
Michael Reith, of lawful age on his/her oath states: I am employed by Trinsic Communications, Inc. as VP-Industrial Policy. I have knowledge of the number of business and residential customers served by Trinsic Communications, Inc. in an exchange. The information provided in the attached sheet(s) answering whether Trinsic Communications, Inc. has or does not have two or more business customers whose addresses are located within a listed exchange and whether Trinsic Communications, Inc. does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Signature

Subscribed and sworn to before me this 17th day of October 2005.

  
\_\_\_\_\_  
Notary Public

My commission expires May 17, 2009

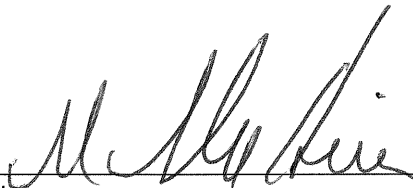


**NP**

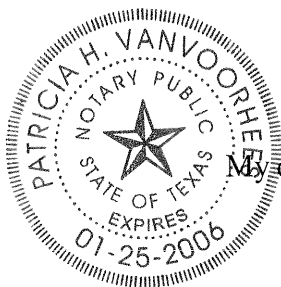
# AFFIDAVIT

State of Texas )  
 ) ss  
County of Dallas )

Alex Heien, of lawful age on his oath states: I am employed by VarTec Telecom, Inc. as Director, Product Development. I have knowledge of the number of business and residential customers served by VarTec Telecom, Inc. in an exchange. The information provided in the attached sheet(s) answering whether VarTec Telecom, Inc. has or does not have two or more business customers whose addresses are located within a listed exchange and whether VarTec Telecom, Inc. does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Signature

Subscribed and sworn to before me this 17th day of October 2005.



  
\_\_\_\_\_  
Notary Public

My commission expires 01-25-2006

NP

# AFFIDAVIT

State of VA )  
 ) ss  
County of Fairfax )

Kristin Shulman (name), of lawful age on his/her oath states: I am employed by XO Communications Services, Inc. (company name) as Exec. Director, Regulatory Affairs (title). I have knowledge of the number of business and residential customers served by XO Communications Services (company name) in an exchange. The information provided in the attached sheet(s) answering whether XO Communications Services (company name) has or does not have two or more business customers whose addresses are located within a listed exchange and whether XO Communication Services (company name) does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.

Kristin Shulman  
Signature

Subscribed and sworn to before me this 14<sup>th</sup> day of October 2005.

[Signature]  
Notary Public

My commission expires My Commission Expires December 31, 2009

# AFFIDAVIT

State of **California**                     )  
   ) ss  
County of **San Francisco**             )

**Haleh S. Davary**, of lawful age on her oath states: I am employed by **MCI, Inc.** as **Regulatory Compliance Analyst**. I have knowledge of the number of business and residential customers served by **MCImetro Access Transmission Services LLC** in an exchange. The information provided in the attached sheet(s) answering whether **MCImetro Access Transmission Services LLC** has or does not have two or more business customers whose addresses are located within a listed exchange and whether **MCImetro Access Transmission Services LLC** does or does not have two or more residential customers whose addresses are located within a listed exchange is true to the best of my knowledge, information and belief.



Signature

Subscribed and sworn to before me this 17th day of October 2005.



Notary Public

My commission expires July 12, 2008





**EXHIBIT II  
COMPANY  
RESPONSES  
IS DEEMED  
HIGHLY  
CONFIDENTIAL IN  
ITS ENTIRETY**