



Kevin K. Zarling  
Senior Attorney

Suite 900  
919 Congress Avenue  
Austin, Texas 78701-2444  
512 370-2010  
FAX: 512 370-2096

August 28, 2002

Dalè Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65101

FILED<sup>3</sup>

AUG 28 2002

Missouri Public  
Service Commission

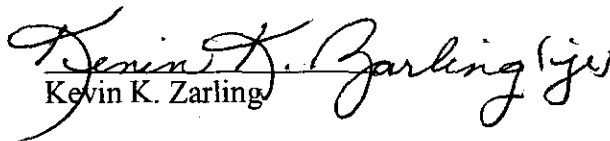
Re: Case No. TO-2001-438

Dear Judge Roberts:

Attached for filing with the Commission is the original and eight (8) copies of a corrected Page 9 to the Joint Sponsors' Reply to Southwestern Bell's Application for Reconsideration and/or Rehearing filed on August 26, 2002. A typographical error was discovered in the middle of the page wherein a portion of a sentence was inadvertently moved, creating an incomplete sentence. I apologize for any confusion and/or inconvenience this has caused.

I thank you in advance for your cooperation in bringing this to the attention of the Commission.

Very truly yours,

  
Kevin K. Zarling

Attachment

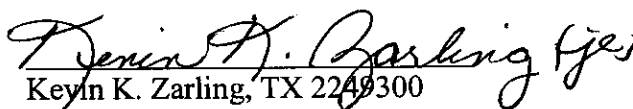
cc: All Parties of Record

SWBT's EASE system, and by failing to essentially adopt the fallout rates in Performance Measure ("PM") 13.1 related to SWBT's §271 compliance. However, the Commission's rationale on its fallout decision, for automated systems and the type of UNE orders at issue here, is an unassailable and astute application of TELRIC. This issue is not about what actual fallout percentages SWBT is achieving today, nor about what actual fallout percentages are appropriate for compliance with SWBT's §271 obligations. This issue is about what kind of forward-looking fallout rate is appropriate to use in setting a TELRIC-compliant rate. SWBT has provided no basis for the Commission to reconsider its decision on this issue and SWBT's Application on this issue should be denied. The Joint Sponsors' Reply Brief, at page 92, thoroughly argued the concept of "long run" in the context of setting TELRIC rates, and the Joint Sponsors will not repeat those arguments here except to say that the Commission's "reliance" on the fallout rates from SWBT's EASE system in this instance is perfectly consistent with the FCC's rules and orders on TELRIC. In their Reply Brief, the Joint Sponsors pointed out that SWBT has never explained why the "simple" migration and feature activation orders that achieve a 1% fallout rate in EASE should not also obtain a 1% or 2% fallout rate in the LEX or EDI UNE ordering systems. The Commission's finding that TELRIC principles require that such highly automated UNE order types should obtain fallout rates comparable to SWBT's most efficient processes for such order types is reasonable and amply supported by the record. (*See* Turner Rebuttal, Ex. 27, p. 127).<sup>7</sup> SWBT has

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<sup>7</sup> In addition, the Joint Sponsors' Reply Brief at pages 92 – 93 also pointed out how the record conclusively proved that SWBT's proposed fallout rates are tainted by a systematic flaw in SWBT's cost study methodology. In the Overview/Methodology section for this study, which was attached to the Direct Testimony of SWBT Witness Makarewicz, the methodology description reads: "Forward looking is defined as the most efficient method of performing the defined activity during the study period, given SWBT's existing systems and network design." Ex. 12, Sch. TJM-17, pg. 2 of 6, ¶ 4. (emphasis added)

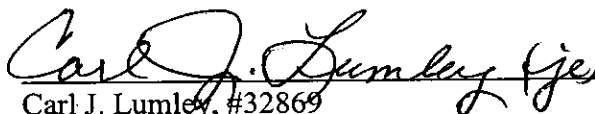
Respectfully Submitted,

 *Kevin K. Zarling*

Kevin K. Zarling, TX 2249300  
AT&T Communications of the Southwest  
919 Congress, Suite 900  
Austin, Texas 78701-2444  
(512) 370-2010  
(512) 370-2096 (FAX)  
[kzarling@lga.att.com](mailto:kzarling@lga.att.com)

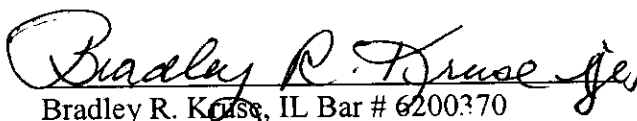
Attorneys for AT&T Communications of the  
Southwest, Inc., TCG St. Louis and TCG  
Kansas City

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

 *Carl J. Lumley*

Carl J. Lumley, #32869  
Leland B. Curtis, #20550  
130 S. Bemiston, Suite 200  
St. Louis, Missouri 63105  
(314) 725-8788  
(314) 725-8789 (FAX)  
[clumley@cohgs.com](mailto:clumley@cohgs.com)  
[lcurtis@cohgs.com](mailto:lcurtis@cohgs.com)

Attorneys for MCImetro Access Transmission  
Services, LLC, Brooks Fiber Communications  
of Missouri, Inc., MCI WorldCom Communications,  
Inc., XO Missouri, Inc., NuVox  
Communications of Missouri, Inc., AT&T  
Communications of the  
Southwest, Inc., TCG St. Louis and TCG  
Kansas City

 *Bradley R. Krase*

Bradley R. Krase, IL Bar # 6200370

6400 C Street SW  
Cedar Rapids, Iowa 52406-3177  
(319) 790-7939  
(319) 790-7901 (FAX)  
bkruse@McLeodUSA.com

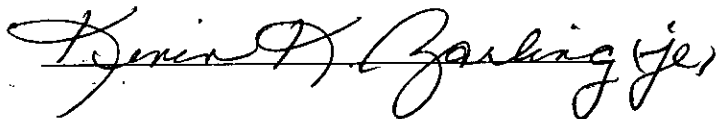
Attorney for McLeodUSA Telecommunications



Rose Mulvany Henry, KS Bar No. 16209  
Birch Telecom of Missouri, Inc.  
2020 Baltimore Ave.  
Kansas City, Missouri 64108  
(816) 300-3731  
(816) 300-3350 (FAX)  
rmulvany@birch.com

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing document was mailed this 28th day  
of August, 2002, to the persons listed on the attached service list, by U.S.  
Mail postage paid.



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

General Counsel  
P.O. Box 360  
Jefferson City, MO 65102

Paul G. Lane  
Southwestern Bell Telephone Co.  
One Bell Center, Room 3520  
St. Louis, MO 63101

Paul Gardner  
Goller, Gardern & Feather  
131 High Street  
Jefferson City, MO 65101

Stephen F. Morris  
WorldCom Communications  
701 Brazos, Suite 600  
Austin, TX 78701

Mary Ann Young  
P.O. Box 14959  
Jefferson City, MO 65110

Sheldon K. Stock  
Greensfelder, Hemker & Gale  
10 South Broadway, Suite 2000  
St. Louis, MO 63102-1774

Michael Sloan/Paul Hudson  
Swidler, Berling, Shereff, Friedman  
3000 K Street NW, Suite 300  
Washington, D.C. 20007

Morton Posner  
Allegiance Telecom of MO  
1919 M Street NW, Suite 420  
Washington, D.C. 20036

Carol Keith  
NuVox Communications  
16090 Swingley Ridge Road, Suite 500  
Cheseterfield, MO 63017

David J. Stueven  
IP Communications Corp.  
6405 Metcalf, Suite 120  
Overland Park, KS 66202

Mark Comley  
Cathleen A. Martin  
Newman, Comley & Ruth  
601 Monroe, Suite 301  
Jefferson City, MO 65101

Bradley R. Kruse  
McLeod USA Telecom.  
P.O. Box 3177  
Cedar Rapids, IA 52406-3177

John T. Davis  
Fidelity Communications  
64 North Clark  
Sullivan, MO 63080

Rose Mulvany  
Birch Telecom of Missouri, Inc.  
2020 Baltimore Avenue  
Kansas City, MO 64108

Jonathan Canis/Michael Hazzard  
Kelley Drye & Warren  
1200 19<sup>th</sup> Street NW, Suite 500  
Washington, D.C. 20036

Carl J. Lumley  
Leland B. Curtis  
Curtis, Oetting, Heinz & O'Keefe  
130 S. Bemiston, Suite 200  
St. Louis, Missouri 63105