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FILED<sup>3</sup>

AUG 14 2002

August 13, 2002

Secretary of the Commission  
Missouri Public Service Commission  
200 Madison, Suite 100  
Jefferson City, MO 65101

Via Federal Express  
833736654651

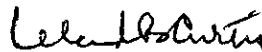
Missouri Public  
Service Commission

Re: Case No. XC-2003-0011

Dear Secretary of the Commission:

Enclosed please find for filing with your office an original and nine (9) copies of MCI WorldCom Communications, Inc.'s Answer to Emergency Complaint and Counterclaim. Upon your receipt, please file stamp the extra copy received and return to the undersigned in the enclosed, self-addressed, stamped envelope. If you have any questions, please contact me.

Very truly yours,



Leland B. Curtis

LBC:dn  
Enclosure  
cc. Parties of Record (W/Enclosure)

FILED<sup>3</sup>

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION AUG 14 2002

Tri-Lakes Net, Inc.

Petitioner,

vs.

MCI WorldCom Communications, Inc.

Respondent.

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Case No. XC-2003-0011

Missouri Public  
Service Commission

**MCI WORLDCOM COMMUNICATIONS, INC.'S ANSWER TO EMERGENCY  
COMPLAINT AND COUNTERCLAIM**

Comes Now MCI WorldCom Communications, Inc. (MCI WorldCom) pursuant to 4 CSR 240-2.070(8) and for its Answer to the Emergency Complaint and Counterclaim states to the Commission:

**-I-**

**Response to Emergency Complaint**

1. MCI WorldCom admits that Tri-Lakes Net, Inc. is an internet service provider located in Missouri. MCI WorldCom lacks knowledge and information sufficient to form a basis on which to admit or deny the remaining averments of paragraph 1 of the Emergency Complaint, and therefore denies same.

2. MCI WorldCom admits the averments of paragraph 2 of the Emergency Complaint.

3. MCI WorldCom lacks knowledge and information sufficient to form a basis on which to admit or deny the averments of paragraph 3 of the Emergency Complaint, and therefore denies same.

4. There are two paragraphs numbered "4" in Tri-Lake's Petition. With respect to the first paragraph 4, MCI WorldCom admits that there is a dispute regarding the amount owed by Tri-Lakes Net, Inc. to MCI WorldCom. MCI WorldCom lacks knowledge and information sufficient to form a basis on which to admit or deny the remaining averments of Paragraph 4 of the Emergency Complaint, and therefore denies same. With respect to the second paragraph "4", MCI WorldCom denies that Tri-Lakes has overpaid MCI WorldCom by \$65,033.99 plus taxes.

5. MCI WorldCom denies the averment of paragraph 5 of the Emergency Complaint that Tri-Lakes Net, Inc. owes MCI WorldCom \$179,462.52 because as of July 29, 2002, MCI WorldCom asserts that Tri-Lakes Net, Inc. owes MCI WorldCom \$184,046.79, as more fully set forth below in MCI WorldCom's counterclaim.

6. MCI WorldCom lacks knowledge and information sufficient to form a basis on which to admit or deny the averment of Paragraph 6 of the Emergency Complaint, and therefore denies same.

7. MCI WorldCom lacks knowledge and information sufficient to form a basis on which to admit or deny the averment of Paragraph 7 of the Emergency Complaint, and therefore denies same.

8. MCI WorldCom lacks knowledge and information sufficient to form a basis on which to admit or deny the averment of Paragraph 8 of the Emergency Complaint, and therefore denies same.

**-II-**

**Counterclaim**

9. Tri-Lakes Net, Inc. is an internet service provider that has been chronically past due on its account with MCI WorldCom for about a year.

10. Tri-Lakes Net, Inc. owes MCI WorldCom \$184,046.79 as of July 29, 2002.

11. Tri-Lakes Net, Inc. avers that it has overpaid MCI WorldCom by \$65,033.99. Even if this averment were true, which MCI WorldCom specifically denies, there is an undisputed balance owed by Tri-Lakes Net, Inc. to MCI WorldCom of \$119,012.80.

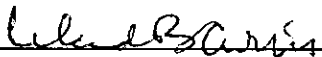
12. Of the \$119,012.80 undisputed amount owed by Tri-Lakes Net, Inc. to MCI WorldCom, \$104,541.88 is past due.

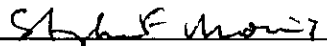
13. Tri-Lakes Net, Inc. has not paid its past due balance, despite the fact that MCI WorldCom has attempted to work out a monthly payment arrangement in order for Tri-Lakes Net, Inc. to bring its account current.

14. MCI WorldCom has issued credits to Tri-Lakes Net, Inc. totaling \$26,716.79, which was reflected on the June, 2002 invoice. MCI WorldCom believes these credits satisfy the amounts in dispute between the parties.

WHEREFORE, PREMISES CONSIDERED, MCI WorldCom moves the Commission to dismiss the Emergency Petition and permit MCI WorldCom to commence with disconnection of service to Tri-Lakes Net, Inc.

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Attorneys for MCI WorldCom Communications, Inc.

## Certificate of Service

A true and correct copy of the foregoing was mailed this 13 day of August, 2002 to:

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P.O. Box 7800  
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Walter B. Gurnea