

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Petition of Fidelity	)	
Telephone Company for Suspension and	)	Case No. TO-2004-0489
Modification of the FCC's Requirement	)	
to Implement Number Portability	)	

PETITIONER'S RESPONSE TO STAFF RECOMMENDATION

COMES NOW Fidelity Telephone Company ("Fidelity" or "Petitioner"), and for its Response to Staff Recommendation, states to the Missouri Public Service Commission ("Commission") as follows:

1. Petitioner appreciates and agrees with Staff's recommendation to grant Petitioner's request for modification to address the rating and routing issues for small rural carriers that were left unresolved by the FCC.

2. Petitioner urges the Commission to adopt Staff's recommended modification along with language to clarify that Petitioner is not foreclosed from seeking additional modification in the future. Specifically, Petitioner should not be foreclosed from seeking additional modification if the FCC issues a subsequent opinion to address the rating and routing issues associated with porting numbers that would produce an adverse economic impact on Petitioner's subscribers, an undue economic burden on Petitioner, or a technically infeasible requirement. Therefore, Petitioner urges the Commission to adopt Staff's recommendation for modification and expressly state that Petitioner "is not foreclosed from seeking additional modification if and when the FCC issues a subsequent decision to address the rating and routing issues associated with porting numbers."

WHEREFORE, Petitioner respectfully requests that the Commission GRANT Petitioner's request for modification of the FCC's wireline-to-wireless LNP requirements; and (2) expressly state that Petitioner "is not foreclosed from seeking additional modification if and when the FCC issues a subsequent decision to address the rating and routing issues associated with porting numbers."

Respectfully submitted,

By Brian T. McCartney

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered on this 5th day of April, 2004, to the following parties:

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