

# BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Second Investigation     )  
Into the State of Competition in the         )     TO-2005-0035  
Exchanges of Southwestern Bell Telephone, )  
L.P., d/b/a SBC Missouri.                     )

## CLEC POSITION STATEMENT

COME NOW MCImetro Access Transmission Services, LLC, Intermedia Communications, Inc., MCI WorldCom Communications, Inc., NuVox Communications of Missouri, Inc., XO Missouri, Inc. and Allegiance Telecom, Big River Telephone Company, LLC, Socket Telecom, LLC, and for their Position Statement pursuant to the ordered procedural schedule state to the Commission:

**Issue 1. The Commission, pursuant to Section 392.245.5 RSMo. 2000, previously classified SBC Missouri's core business switched and business line-related services in the Kansas City and St. Louis exchanges as competitive in Case No. TO-2001-467. In which additional SBC Missouri exchanges, if any, does effective competition for those services exist, such that SBC Missouri's core business switched and line-related services should be classified as competitive?**

SBC Missouri has not met its burden of proving the existence of effective competition for all core business services in any additional exchanges. Substantial barriers to entry protect SBC and limit the extent and level of effective competition regarding core business services. Substantial reductions in SBC's unbundling obligations will reduce wireline competition even further and intermodal competition does not contribute towards the level of effective competition

regarding these services in any meaningful way. There is no basis on which to conclude that competition is or will be effective in any additional exchanges for core business services.

**2. In which SBC Missouri exchanges, if any, does effective competition exist for SBC Missouri's Plexar services such that those services should be classified as competitive pursuant to Section 392.245.5 RSMo. 2000?**

No position.

**3. The Commission, pursuant to Section 392.245.5 RSMo. 2000, previously classified SBC Missouri's residential access line and residential line-related services in the Harvester and St. Charles exchanges as competitive in Case No. TO-2001-467. In which additional SBC Missouri exchanges, if any, does effective competition exist, such that SBC Missouri's residential access line and residential line-related services should be classified as competitive?**

SBC Missouri has not met its burden of proving the existence of effective competition for all residential services in any additional exchanges. Substantial barriers to entry protect SBC and limit the extent and level of effective competition regarding residential services. Substantial reductions in SBC's unbundling obligations will reduce wireline competition even further and intermodal competition does not contribute towards the level of effective competition regarding these services in any meaningful way. There is no basis on which to conclude that competition is or will be effective in any additional exchanges for residential services.

**4. In which SBC Missouri exchanges, if any, does effective competition exist for SBC Missouri's directory assistance (DA) services such that those services should be classified as competitive pursuant to Section 392.245.5 RSMo. 2000?**

CLECs agree with OPC that DA services should not be classified as being subject to effective competitive unless all residential and core business access line services have been so classified in an exchange.

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

/s/ Carl J. Lumley

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**Certificate of Service**

A true and correct copy of the foregoing was served upon the parties identified on the attached service list on this 24th day of January, 2005, either by e-mail or by placing same in the U.S. Mail, postage paid.

/s/ Carl J. Lumley

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