

SONNENSCHN NATH & ROSENTHAL

4520 MAIN STREET SUITE 1100

KANSAS CITY, MISSOURI 64111

Lisa C. Creighton
(816) 932-4461
l3c@sonnenschein.com

(816) 932-4400
FACSIMILE
(816) 531-7545

January 25, 2000

VIA HAND DELIVERY

FILED

JAN 25 2000

Mr. Dale Roberts
Executive Secretary
Missouri Public Service Commission
301 West High Street, Suite 530
Jefferson City, Missouri 65101

**Missouri Public
Service Commission**

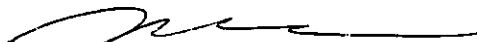
Re: *In the Matter of the Petition of DIECA Communications, Inc. d/b/a Covad
Communications Company for Arbitration of Interconnection Rates, Terms,
Conditions and Related Arrangements With Southwestern Bell Telephone
Company*
Case No. TO-2000-322

Dear Mr. Roberts:

14 per phone call Rocketing
Enclosed for filing with the Commission is the Third Amended Notice of Deposition. The original and seven (7) copies of this document will be forwarded by Federal Express for delivery on January 26, 2000.

Please do not hesitate to contact me if you should have any questions. Thank you for bringing this matter to the attention of the Commission.

Very truly yours,



Lisa C. Creighton

LCC/cmw
Enclosures

cc: Office of Public Counsel
Office of General Counsel

FILED

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

JAN 25 2000

Missouri Public
Service Commission

In the Matter of the Petition)
of DIECA Communications, Inc. d/b/a)
Covad Communications Company for) Case No. TO-2000-322
Arbitration of Interconnection Rates, Terms,)
Conditions and Related Arrangements)
With Southwestern Bell Telephone Company)

THIRD AMENDED NOTICE OF DEPOSITION

TO: Mr. Paul Lane, Southwestern Bell Telephone Company

Pursuant to the Missouri Public Service Commission's Arbitration Procedures, Rule 4 C.S.R. 240-2.090(1) of the Missouri Public Service Commission's Practice and Procedure Rules, and Rules 56.01 and 57.03 of the Missouri Rules of Civil Procedure, Defendant DIECA Communications, Inc. d/b/a Covad Communications Company hereby requests that Southwestern Bell Telephone Company ("SWBT") designate a witness or witnesses competent to testify on February 3, 2000 about the following matters:

1. **Cost-Related Issues**—Covad intends to explore the following cost-related issues: (1) the basis for SWBT's input assumptions for its nonrecurring cost studies for loop qualification and "conditioning," its recurring cost study for digital loops and its recurring and nonrecurring cost studies for shielded cross-connections; (2) the consistency between the assumptions and modeling approach in the aforementioned studies and the corresponding cost studies that SWBT relies on for analog loops and non-shielded cross-connections; (3) the reasons for changes in SWBT's costing methodology and assumptions across different generations of loop qualification and "conditioning" cost studies provided in response to discovery; (4) the consistency between SWBT's costing methodology and assumptions and the most efficient, forward-looking

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engineering practices, procedures and technology described in the various engineering guidelines, internal e-mail communications and other documents provided in response to discovery; and (5) any other cost-related issues in this arbitration.

2. **Outside Plant Related Issues**—Covad intends to explore the following outside plant related issues: (1) the interpretation of, SWBT's adoption of, and SWBT's promulgation of generally accepted outside plant engineering methods and procedures, including those advocated by Bellcore (now Telcordia Technologies, Inc.); (2) the basis for SWBT's input assumptions for its nonrecurring cost studies for loop qualification and "conditioning", its recurring cost study for digital loops, and its recurring and nonrecurring cost studies for shielded cross-connections; (3) SWBT's interpretation of "forward-looking" design as used in these proceedings; (4) SWBT's use of various high-production construction techniques such as modular splicing; (5) past and current SWBT policies and practices for planning outside plant, detailed engineering of outside plant, procuring materials for outside plant, construction of outside plant, and maintenance of outside plant facilities; (6) the consistency between SWBT's costing methodology and assumptions and the most efficient, forward-looking engineering practices, procedures and technology described in the various engineering guidelines, internal e-mail communications and other documents provided in response to discovery; (7) methods used to gather opinions of SWBT's experts, and the manipulation of data to determine input values for cost studies utilized in these proceedings; and (8) any other outside plant related issues in this arbitration.

Counsel for SWBT is required, prior to the deposition, to designate the witness or witnesses who will testify about the matters previously described. The deposition of the designated witness on cost-related issues will take place on February 3, 2000, at the offices of Southwestern Bell, One

Bell Center, St. Louis Missouri, starting at 8:30 a.m., immediately followed by the deposition of the designated witness on outside plant related issues. Counsel for SWBT is directed to bring all highly confidential SWBT documents in this arbitration to these depositions. The depositions will be taken before a stenographic reporter or other person duly authorized to administer oaths.

Respectfully submitted,



Mark P. Johnson MO #30740

Lisa C. Creighton MO #42194

Sonnenschein, Nath & Rosenthal

4520 Main Street, Suite 1100

Kansas City, Missouri 64111

816/932-4400

816/531-7545 FAX

ATTORNEYS FOR DIECA COMMUNICATIONS, INC.
D/B/A COVAD COMMUNICATIONS COMPANY

CERTIFICATE OF SERVICE

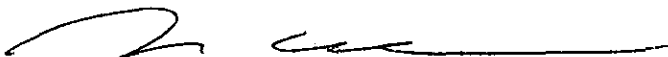
I hereby certify that a true and correct copy of the above and foregoing was transmitted via facsimile and mailed, postage prepaid, this 25th day of January, 2000, to:

Paul Lane, Esq.
Southwestern Bell Telephone
One Bell Central, Room 3516
St. Louis, Missouri 63101

With copies being mailed on the same date, postage prepaid, to:

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

Office of General Counsel
ATTN: Bill Haas
P. O. Box 360
Jefferson City, Missouri 65102



Attorney for DIECA Communications, Inc.
d/b/a Covad Communications Company