

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Alltel)
Communications, Inc., for Approval of its)
Successor Cellular/PCS Interconnection Agreement)
and Accompanying Amendment with Southwestern)
Bell Telephone, L.P. d/b/a SBC Missouri, under)
47 USC Section 252.)

Case No. TK-2005-0114

**SBC MISSOURI'S
RESPONSE TO MITG**

SBC Missouri¹ opposes Applicant Missouri Independent Telephone Company Group's ("MITG's")² Application to Intervene and Request for Hearing.

SBC Missouri understands that the MITG, through their counsel, has been negotiating with Alltel for a traffic termination agreement similar to what MITG entered into with other wireless carriers, such as Sprint PCS and Cingular. If MITG has issues it cannot resolve through direct negotiations with Alltel, MITG should bring the matter to the Commission for arbitration as provided in Section 252(b)(1) of the federal Telecommunications Act. The Commission should not countenance MITG's attempt to improperly use this proceeding as leverage in its negotiations with Alltel.

Moreover, the Commission has already provided terminating carriers with a remedy. Over three and a half years ago, the Commission approved the use of Wireless Termination Service Tariffs that permitted terminating LECs to have wireless traffic for which they were not

¹ Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as "SBC Missouri."

² The Missouri Independent Telephone Company Group consists of Alma Communications Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, MoKan Dial Inc., and Northeast Missouri Rural Telephone Company.

being paid blocked by the intermediate transit carrier.³ All but two of the MITG have such tariffs on file with the Commission. And the two that do not are certainly free to file such tariffs of their own. Having been provided with an adequate remedy, MITG should not be permitted to interfere with agreements negotiated by other parties in compliance with the Act.

The Agreement Alltel filed in this case is simply a replacement for the interconnection agreement currently in place between Alltel and SBC Missouri. The replacement Agreement does not make any change in how transit traffic is handled today. Moreover, this Agreement binds only Alltel and SBC Missouri. It imposes no obligation on MITG or any other party. MITG has completely failed to allege sufficient facts that would, if proven, establish that the Alltel/SBC Missouri Agreement discriminates against carriers not a party to the Agreement (See, Section 252(e)(2)(A)(i) of the Telecommunications Act of 1996). It has not alleged that Alltel refused to negotiate similar agreements with the MITG companies. In fact, it appears that the opposite is true, as MITG has been negotiating with Alltel. They simply have not yet concluded an agreement.

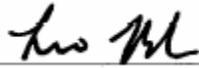
Accordingly, no need exists for the Commission to hold a hearing in this proceeding or to reject any portion of the Interconnection Agreement filed by Alltel.

³ In the Matter of Mark Twain Rural Telephone Company's proposed Tariff to Introduce its Wireless Termination Service, Case No. TT-2001-139, et al., Report and Order, issued February 8, 2001; affirmed, [add cite].

WHEREFORE, SBC Missouri respectfully requests the Commission not to permit intervention by MITG, and to approve the Interconnection Agreement between Alltel and SBC Missouri.

Respectfully submitted,

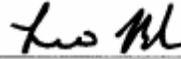
SOUTHWESTERN BELL TELEPHONE, L.P.,
D/B/A SBC MISSOURI

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CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on November 15, 2004.



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