

Dysart Reply Affidavit – Attachment G

Southwestern Bell Telephone
1616 Guadalupe
Room 600
Austin, Texas 78701
Phone 512.870.5720
Fax 512.870.3420

Cynthia F. Malone
Senior Counsel
Legal Department



September 17, 2001

Honorable Donna Geiger
Honorable Nara Srinivasa
Honorable John Mason
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, Texas 78739

RECEIVED
01 SEP 17 PM 2:50
PUBLIC UTILITY COMMISSION
FILING CLERK

Re: **Project No. 20400 - Section 271 Compliance Monitoring of Southwestern Bell Telephone Company of Texas**

Dear Judges Geiger, Srinivasa, and Mason:

This is to advise you that Southwestern Bell Telephone Company ("SWBT") has decided to submit to AT&T the Tier 1 liquidated damage payment associated with PM 27 by September 20, 2001. This action moots the matters about which SWBT wrote to Judges Geiger and Srinivasa on August 14, 2001, and it would not appear that there is any need to continue with AT&T's request for informal dispute resolution or the conference call scheduled for Tuesday, September 18, 2001. Please let us know if you would like to proceed differently.

SWBT remains convinced that applying the PM 27 Business Rule to instances such as those that are described in SWBT's letter is inappropriate. SWBT's performance in providing AT&T a meaningful opportunity to compete has been exceptional with regard to the provisioning of UNE-P NFW orders, and SWBT continues to meet well over 99% of AT&T's requested due dates. For these and other reasons, SWBT will request an appropriate change in the PM 27 Business Rule during the next Six Month Review.

Thank you for your assistance in this matter.

Very truly yours,

cc: Michelle Bourianoff

1
422