

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

<b>CENTURYTEL OF MISSOURI, LLC,</b>	)	
	)	
<b>Complainant,</b>	)	<b>CASE NO. IC-2008-0068, et al.</b>
	)	
<b>v.</b>	)	
	)	
<b>SOCKET TELECOM, LLC,</b>	)	
	)	
<b>Respondent.</b>	)	

**JOINT MOTION BY CONSENT OF CENTURYTEL AND SOCKET TO SUSPEND THE  
PROCEDURAL SCHEDULE PENDING THE COMMISSION'S RULING ON THEIR  
MOTIONS FOR SUMMARY DETERMINATION**

Complainants CenturyTel of Missouri, LLC ("CenturyTel") and Spectra Communications Group, LLC, d/b/a CenturyTel ("Spectra") (CenturyTel and Spectra are referred to collectively herein as "CenturyTel"), and Respondent Socket Telecom, LLC ("Socket"), pursuant to 4 CSR 240-2.080 and 4 CSR 240-2.110(3), jointly file this Motion by Consent to Suspend the Procedural Schedule Pending the Commission's Ruling on the Their Motions for Summary Determination, and respectfully show the Commission the following:

**I.  
ARGUMENT**

1. CenturyTel and Socket have each filed a Motion for Summary Determination in this matter ("Motions"). CenturyTel filed its Motion for Summary Determination on or about December 13, 2007. Socket filed its Cross-Motion for Summary Determination on or about January 14, 2008. Each party has responded to the other party's motion. In their respective motions, CenturyTel and Socket both assert that the Commission should resolve this dispute as a matter of law by construing and interpreting the terms of their interconnection agreements.

2. On or about November 29, 2007, the Commission issued an Order Adopting A Procedural Schedule ("Procedural Schedule") that, among other things, requires: the filing of written direct testimony by April 4, 2008, and rebuttal testimony by May 27, 2008; the closing of the discovery period on May 30, 2008<sup>1</sup>; and an Evidentiary Hearing starting on June 24, 2008.

3. CenturyTel and Socket agree that the Commission's ruling on their respective Motions may obviate the need for the filing of written testimony and an evidentiary hearing. Thus, CenturyTel and Socket respectfully request that the Commission suspend the Procedural Schedule until it rules on the Motions to avoid having the parties incur significant expenditures of time and resources preparing the above-referenced testimony and preparing for the evidentiary hearing when the Commission's determinations may render the same moot and/or unnecessary. Moreover, to the extent the Commission's ruling on the Motions does not entirely resolve the dispute as a matter of law, such ruling likely would serve to refine or narrow the scope of the issues.

4. To the extent the Commission deems oral argument on the Motions beneficial or necessary, CenturyTel and Socket would agree to schedule such oral argument for the earliest date available for the Commission and all of the parties involved.

5. Neither the Commission Staff nor the Office of Public Counsel have any objection to this motion.

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<sup>1</sup> The Commission's Order Adopting A Procedural Schedule actually provides that May 30, 2007 is the deadline for serving discovery requests in this case, which appears to be a typographical error.

## **II. PRAYER**

For the reasons set forth herein, CenturyTel and Socket respectfully and jointly request that the Commission issue an Order:

(1) suspending the current Procedural Schedule pending the Commission's ruling on their respective Motions for Summary Determination; and

(2) providing that if, after the Commission's ruling on the Motions, the dispute is not entirely resolved, the dates set forth in the Procedural Schedule will be appropriately modified, and the Procedural Schedule will be reinstated with such modified dates.

Respectfully submitted,

FISCHER & DORITY, P.C.

**/s/ Larry W. DORITY**

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**ATTORNEYS FOR CENTURYTEL OF  
MISSOURI, LLC and SPECTRA  
COMMUNICATIONS GROUP, LLC, d/b/a  
"CENTURYTEL"**

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

/s/ **Carl J. Lumley** (LWD)

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**ATTORNEYS FOR SOCKET TELECOM, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that the undersigned has caused a complete copy of the attached document to be electronically filed and served on the Commission's Office of General Counsel (at [gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov)) and the Office of the Public Counsel (at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)), on this 6<sup>th</sup> day of March, 2008.

/s/ **Larry W. Dority**

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Larry Dority