

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Tariff Submission of Logix)	
Communications, L.P., d/b/a Logix Communications,)	<u>Case No. LT-2007-0227</u>
to Amend Tariff No. 4)	Tariff No. JL-2007-0332

ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE,
SETTING PREHEARING CONFERENCE AND SETTING EVIDENTIARY
HEARING

Issue Date: December 28, 2006

Effective Date: December 28, 2006

On November 13, 2006, Logix Communications, L.P. d/b/a Logix Communications (“Logix”) submitted to the Commission new and revised sheets to amend its Missouri P.S.C. No. 4 Tariff.¹ The amendments include new language addressing rate increases. The tariff sheets had a proposed effective date of January 1, 2007.

On December 21, the Staff of the Missouri Public Service Commission filed a motion to suspend Logix’s proposed tariff after Logix declined Staff’s request that it omit certain language from the tariff sheets that Staff believes is in violation of Section 392.220, RSMo 2000. The Commission issued a suspension order on December 28 suspending the effective date of the tariff sheets until May 1, 2007.

The Commission will issue notice and set an intervention schedule. The Commission will require that its Data Center mail a copy of this notice to all certificated

¹ Logix is a telecommunications company certificated by the Commission to provide basic local and interexchange telecommunications services.

incumbent local exchange carriers and all competitive local exchange carriers in the State of Missouri.

The Commission shall also set an expedited hearing schedule. The evidentiary hearing shall be live, without prefiled testimony. The Commission finds that the following conditions should be applied:

(A) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they will be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(B) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and may not contain argument about why the party believes its position to be the correct one.

(C) The Commission will allow one round of post-hearing briefs.

(D) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(E) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(F) Each party may prepare and file proposed findings of fact and conclusions of law, including citations to testimony and other evidence, to be filed during the post-hearing briefing schedule.

IT IS ORDERED THAT:

1. The Commission's Data Center shall serve notice as set out in the body of this order.

2. Any party wishing to intervene shall do so by filing a pleading no later than January 12, 2007, with:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and serve a copy on:

Howard J. Siegel, Vice President
Logix Communications
210 Barton Springs Road, Suite 100
Austin, Texas 78704

and

Legal Department
Logix Communications
210 Barton Springs Road, Suite 100
Austin, Texas 78704

and

Office of the Public Counsel
200 Madison Street, Suite 650
Post Office Box 2230
Jefferson City, Missouri 65102

and

General Counsel
Missouri Public Service Commission
200 Madison Street
Post Office Box 360
Jefferson City, Missouri 65102-2230

3. The parties shall appear at a prehearing conference to be held on January 16, 2007, beginning at 9:00 a.m. The prehearing conference will be held in Room 315 at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets the accessibility standards required by the Americans with Disabilities Act. Any person needing additional accommodations to participate in this prehearing conference should call the Public Service Commission's Hotline at 1-800-392-4211 or dial Relay Missouri at 711 prior to the conference.

4. Any party wishing to appear by telephone shall notify the Regulatory Law Judge by calling 573-522-8459 no later than January 5, 2007.

5. An evidentiary hearing in this matter shall be set for February 8-9, 2007.

6. The following procedural schedule is established:

Issues List, Order of Witnesses, and Order of Cross	- January 19, 2007
Position Statements	- January 26, 2007
Hearing	- February 8-9, 2007, beginning at 8:30 a.m.

7. The hearing will be held in the offices of the Missouri Public Service Commission at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional

accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

8. This order shall become effective on December 28, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 28th day of December, 2006.