

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

In the Matter of the Application of Southwestern Bell)
Bell Telephone Company, d/b/a AT&T Missouri, for) Case No. IK-2013-0394
Approval of an Interconnection Agreement under the)
Telecommunications Act of 1996 with 365 Wireless, LLC.)

AT&T MISSOURI'S MOTION TO WITHDRAW APPLICATION

AT&T Missouri¹ respectfully moves to withdraw, without prejudice, the application for approval of the interconnection agreement (“ICA”) between 365 Wireless, LLC and AT&T Missouri in order to provide the parties additional time to resolve issues that have been raised in this proceeding. In support of its motion, AT&T Missouri states:

1. On February 11, 2013, AT&T Missouri filed an application for approval of the ICA it executed with 365 Wireless. The Commission on February 14, 2013, issued an Order Directing Notice, Setting an Intervention Deadline and making 365 Wireless a party.

2. On March 1, 2013, Alma Telephone Company, et al. and the Small Telephone Company Group (“STCG”) filed applications to intervene, stating that the proposed ICA would allow 365 Wireless to transit its traffic through AT&T Missouri’s network to them for termination. They expressed concerns that this traffic would be transited to them “without compensation or an approved agreement.”²

3. On March 7, 2013, Staff filed a revised recommendation suggesting alternatives to resolve Alma, et al. and STCG's concerns.

4. On March 11, 2013, AT&T Missouri filed its response to the applications to intervene and to Staff's revised recommendation.

¹ Southwestern Bell Telephone Company, d/b/a AT&T Missouri will be referred to in this Motion as “AT&T Missouri.”

² STCG Application, p. 2; Alma, et al. Application p. 6.

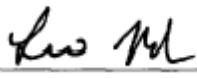
5. At the March 18, 2013 prehearing conference, the Regulatory Law Judge assigned to this case advised the parties that under Section 252(e)(4) of the federal Telecommunications Act of 1996,³ the Commission has until Friday, May 10, 2013, to act on the application. Following the on the record portion of the prehearing conference, the parties discussed Alma, et al. and STCG's concerns, possible resolutions of those concerns and the need for an expedited proceeding in the event those concerns could not be addressed. These discussions between the parties are continuing, with 365 Wireless to provide additional information concerning its network, and the parties endeavoring to convene a face-to-face informational meeting in Jefferson City.

6. In order to provide additional time for the parties to resolve the issues that have been raised, AT&T Missouri wishes to withdraw the application to approve the proposed ICA, without prejudice.

WHEREFORE, AT&T Missouri respectfully requests the Commission grant its motion to withdraw, without prejudice, the application for approval of the ICA between 365 Wireless and AT&T Missouri.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY,
D/B/A AT&T MISSOURI

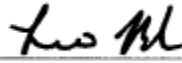
BY 
LEO J. BUB #34326
ROBERT J. GRYZMALA #32454

Attorneys for the AT&T Missouri
909 Chestnut Street, Room 3518
St. Louis, Missouri 63101
314-235-2508 (tn)/314-247-0014(fax)
leo.bub@att.com

³ 47 USC Section 252(e)(4). The Commission actually has until May 12, 2013, which is a Sunday. The last business day the Commission has to take action on the proposed ICA is Friday, May 10, 2013.

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on March 20, 2013.



Leo J. Bub

Colleen M. Dale
General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, Mo 65102
staffcounsel@psc.mo.gov
cully.dale@psc.mo.gov

Lewis Mills
Public Counsel
Office of the Public Counsel
PO Box 7800
Jefferson City, MO 65102
opcservice@ded.mo.gov

Tony Cash
365 Wireless, LLC
1500 Trotter's Cove
Atlanta, GA 30338
tony@365wireless.net

Craig Johnson
Johnson & Sporleder, LLP
304 E. High Street, Suite 200
Jefferson City, MO 65102
cj@cjaslaw.com

Brian T. McCartney
Brydon, Swearengen & England P.C.
312 E. Capitol Avenue
Jefferson City, Missouri 65102
trip@brydonlaw.com
bmccartney@brydonlaw.com