

February 25, 2008

Ms. Colleen Dale Secretary and Chief Regulatory Law Judge Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102

FEB 2 6 2008

Missouri Public Service Commission

RE:

In the Matter of the Application of MCC Missouri LLC for

Video Service Authorization Case No. KA-2008-0061

Dear Ms. Dale:

Enclosed for filing please find an original and a copy of my Request For Delay In Issuance of Order pertaining to the above referenced matter.

Please return a filed stamped copy for our records in the enclosed stamped envelope.

If you have any questions, please do not hesitate to call.

Sincerely,

FILED³

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

FEB 2 6 2008

In the Matter of the Application of MMC Missouri LLC) CFor Video Service Authorization	Service Cemmission Case No. KA-2008-0061
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REQUEST FOR DELAY IN ISSUANCE OF ORDER

COMES NOW the City of Springfield, Missouri, and requests that this

Commission not issue its Order for a Video Authorization to provide video service within
the limits of Springfield, Missouri for MMC Missouri LLC (hereinafter "Company")
until March 7, 2008, thirty days after the filing of the Notice of Change of Application,
for the following reasons:

- 1. The Company has abandoned the refranchising process under federal law.
- 2. The City of Springfield had in place, prior to the effective date of SB 284, a master video franchise ordinance that, in the absence of a statewide authorization, would control the provision of video service with the limits of Springfield, Missouri.
- 3. The City did not receive notice of this Notice of Change of Application, but discovered it by accident while searching the Commission's website on another matter just days ago.
- 4. That the City requires the full remaining thirty (30) days notice to consider its options under federal and state law with respect to response, if any, to the Company's notice.

- 5. That the Commission is not obligated to issue any order until thirty (30) days has passed after the filing of the Notice of Change, under Section 67.2679.7, RSMo Supp 2007, which would not be any earlier than March 7, 2008.
- 6. That the Company's current franchise with the City of Springfield does not expire before the end of such thirty (30) days and therefore delay in issuing the order as requested herein in no way prejudices the Company's rights if any.

WHEREFORE, the City of Springfield, Missouri requests that the Commission not issue an order authorizing the Company to provide video service within the City of Springfield, Missouri before March 7, 2008.

Respectfully submitted,

Nancy K. Yendés

Assistant City Attorney for

Springfield, Missouri

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Springfield, MO 65802

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered by first class mail on this 25th day of February, to the following as attorney for the Company: Mr. Richard S. Brownlee III, Hendren Andrae, LLC, 221 Bolivar Street, Suite 300, Jefferson City, MO 65102, <u>richardv@hendrenandrae.com</u>, Fax: 573-636-5226; Mr. John Landwehr, 320 East McCarty, Jefferson City, MO 65101; Mr. Dave Coonrod, Greene County, 940 Boonville, Springfield, MO 65806.

Vancy K. Yendes