

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

Petition by KMC Telecom V, Inc.,
KMC Telecom III LLC and KMC Data,)
L.L.C., for Arbitration of an Interconnection)
Agreement with CenturyTel, Inc., CenturyTel of)
Missouri, LLC, and Spectra Communications,)
LLC, Pursuant to Section 252(b) of the)
Communications Act of 1934, as Amended, and)
Missouri Law)

Case No. TK-2005-0276

Petition by CD Telecommunications, LLC for
Arbitration of an Interconnection Agreement)
with CenturyTel, Inc., CenturyTel of Missouri,)
LLC, and Spectra Communications, LLC,)
Pursuant to Section 252(b) of the)
Communications Act of 1934, as Amended, and)
Missouri Law)

Case No. XO-2005-0277

MOTION FOR CONSOLIDATION AND JOINT PROCEEDINGS

COME NOW CD Telecommunications, LLC (“CD Telecom” or “Joint Petitioner”) and KMC Telecom V, Inc. (“KMC V”), KMC Telecom III LLC (“KMC III”), and KMC Data, L.L.C. (“KMC Data”) (collectively, “KMC” or “Joint Petitioner”) and, by and through counsel of record and pursuant to 4 CSR 240-2.110, hereby file this Joint Motion for Consolidation and Joint Proceedings in the above-styled arbitrations. In support of their Joint Motion, Joint Petitioners state as follows:

1. On February 16, 2005, KMC filed its Petition for Arbitration in Case No. TK-2005-0276, seeking arbitration of an interconnection agreement pursuant to Sections 251 and 252 of the Communications Act of 1934, as Amended, also involving CenturyTel, Inc., CenturyTel of Missouri, LLC (“CenturyTel Missouri”) and Spectra Communications, LLC (“Spectra”) (collectively, “CenturyTel” or the “CenturyTel Entities”).

2. Also on February 16, 2005, CD Telecom filed its Petition for Arbitration in Case No. XO-2005-0277, seeking arbitration of an interconnection agreement pursuant to Sections 251 and 252 of the Communications Act of 1934, as Amended, involving CenturyTel, Inc., CenturyTel of Missouri, LLC (“CenturyTel Missouri”) and Spectra Communications, LLC (“Spectra”) (collectively, “CenturyTel” or the “CenturyTel Entities”).
3. The Statements of Unresolved Issues (Disputed Points List or Decision Point List, often referred to as “DPL”) filed in both arbitrations are identical.
4. The proposed Interconnection Agreements filed in both arbitrations are identical.
5. These arbitrations are on the same time schedules under the federal Communications Act.
6. Both CD Telecom and KMC have retained the services of Andrew M. Klein as outside counsel to represent them in these arbitrations.
7. 4 CSR 240-2.110 (3) states: “When pending actions involve related questions of law or fact, the commission may order a joint hearing of any or all the matters at issue, and may make other orders concerning cases before it to avoid unnecessary costs or delay.”
8. The instant arbitrations meet the standard of 4 CSR 240-2.110 (3). These arbitrations involve questions of both law and fact that not only are related but are, in fact, identical. The same incumbent local telephone companies are involved in both arbitrations. The issues in dispute are identical, as are the timetables of each. To require separate treatment of these arbitrations would

require an inefficient and costly duplication of effort by the Joint Petitioners and the CenturyTel Entities alike, as well as an unnecessary duplication of effort by the Commission itself.

9. Therefore, to consolidate these arbitrations for purposes of hearing and decision would serve to avoid unnecessary costs or delay for the Commission, the Joint Petitioners and the CenturyTel Entities, consistent with 4 CSR 240-2.110 (3).

WHEREFORE, CD Telecom and KMC respectfully move the Commission for consolidation of these arbitrations for purposes of hearing and decision, beginning with the Initial Arbitration Meeting (currently scheduled in Case No. TK-2005-0276 on February 28, 2005 and in Case No. XO-2005-0277 on March 1, 2005).

Respectfully submitted,

CD Telecommunications, LLC

By: /s/ William D. Steinmeier

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Respectfully submitted,

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Dated: February 22, 2005

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), the Office of Public Counsel (at opcservice@ded.mo.gov) and counsel for CenturyTel (at 1wdority@sprintmail.com), on this 22nd day of February 2005.

/s/ *William D. Steinmeier*