

**BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION**

Big River Telephone Company, LLC, Birch	)	
Telecom of Missouri, Inc., ionex communications,	)	
Inc., NuVox Communications of Missouri, Inc.,	)	
Socket Telecom, LLC, XO Communications	)	
Services, Inc., and Xspedius Communications, LLC,	)	
	)	Case No. TC-2005-0294
Complainants,	)	
	)	
v.	)	
	)	
Southwestern Bell Telephone, L.P. dba	)	
SBC Missouri,	)	
	)	
Respondent.	)	

**MOTION FOR CONTINUANCE**

COME NOW Big River Telephone Company, LLC (Big River), Birch Telecom of Missouri, Inc. (Birch), ionex Communications, Inc. (ionex), NuVox Communications of Missouri, Inc., (NuVox), Socket Telecom, LLC (Socket), XO Communications Services, Inc. (XO) and Xspedius Communications, LLC (Xspedius) (collectively the "CLEC Coalition"), in connection with the above-styled proceeding, and for their Motion for Continuance pursuant to 4 CSR 240-2.110(2) state to the Commission:

1. On March 17, 2005 the Commission issued its Order Regarding Continued Provisioning of Service. Therein, the Commission set a hearing in this matter on March 30, 2005.
2. Unfortunately, counsel for the CLEC Coalition are not able to attend a hearing on the date selected by the Commission. Carl Lumley has a family vacation and is not available from March 25 through April 1. Bill Magness is in trial the week of March 28 in Oklahoma regarding the arbitration of the successor interconnection agreement in that state between CLECs and SBC.

3. The CLEC Coalition recommends that the Commission set a telephonic prehearing conference as soon as possible and a deadline for the parties to file a proposed schedule for the case. That will allow the parties to take all conflicting dates into account and avoid the need for further motions like this one from other parties. It will also allow the parties to discuss further the potential for consolidating this proceeding with the anticipated interconnection arbitration between the parties (currently expected to be filed March 31). Counsel is available for a telephonic prehearing anytime on March 21, 22 or 23, other than during a prehearing conference set in another matter before the Commission at 10:00 am on March 21. The CLEC Coalition suggests a deadline of March 24 for the filing of a proposed schedule.

4. Alternatively, if the Commission does not believe it can afford the parties an opportunity to develop a proposed case schedule, then the CLEC Coalition suggests the Commission select a hearing date during the week of April 11, 2005, other than on April 13. By making this suggestion, the CLEC Coalition does not mean to endorse proceeding to hearing that soon, but rather seeks to identify available dates for the Commission if it feels it cannot wait for the parties to develop a proposed schedule.

WHEREFORE, the CLEC Coalition moves the Commission to cancel the hearing set for March 30, 2005 and grant the other relief requested herein.

Respectfully submitted,

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

/s/ Carl J. Lumley

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Carl J. Lumley, #32869  
Leland B. Curtis, #20550  
130 S. Bemiston, Suite 200  
Clayton, MO 63105  
(314) 725-8788  
(314) 725-8789 (FAX)  
[clumley@lawfirmemail.com](mailto:clumley@lawfirmemail.com)  
[lcurtis@lawfirmemail.com](mailto:lcurtis@lawfirmemail.com)

CASEY, GENTZ & MAGNESS, L.L.P.

/s/ Bill Magness (by Carl J. Lumley)

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Bill Magness, #12824020  
98 San Jacinto Blvd., Suite 1400  
Austin, Texas 78701  
(512) 480-9900  
(512) 480-9200 (FAX)  
[bmagness@phonelaw.com](mailto:bmagness@phonelaw.com)

Attorneys for CLEC Coalition

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing was served by email this 18th day of March, 2005, to the persons listed on the attached service list.

/s/ Carl J. Lumley

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Dana K. Joyce  
General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102  
gencounsel@psc.mo.gov

John B. Coffman  
Office of Public Counsel  
P.O. Box 2230  
Jefferson City, Missouri 65102  
opcservice@ded.mo.gov

Marc Poston  
Missouri Public Service Commission  
P.O. Box 360  
200 Madison, Suite 800  
Jefferson City, MO 65102  
Marc.Poston@psc.mo.gov

Mark Comley  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102-0537  
comleyM@ncrpc.com

Legal Department  
Southwestern Bell Telephone Co., L.P.  
d/b/a SBC Missouri  
One Bell Center, Room 3520  
St. Louis, Missouri 63101  
paul.lane@sbc.com

Mark Johnson  
4520 Main Street, Suite 1100  
Kansas City, Missouri 64050  
mjohnson@sonnenschein.com