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December 8, 2000

VIA FEDERAL EXPRESS

Missouri Public Service Commission
Attn: Secretary of the Commission
200 Madison Street, Suite 100
Jefferson City, MO 65102-0360

FILED

DEC 11 2000

Missouri Public
Service Commission

Re: In the Matter of the Application of Pathnet, Inc. for a Certificate of Service Authority to Provide Basic Local Telecommunications Services in Portions of the State of Missouri and to Classify Said Services and the Company as Competitive; Case No. TA-2000-665

Dear Mr. Roberts,

Enclosed for filing with the Commission in the above-referenced case is an original and eight (8) copies of Pathnet, Inc.'s Motion For Extension Of Time To File Tariff.

Please stamp "Filed" on the extra copy and return it to me in the enclosed self-addressed envelope.

Thank you for your assistance.

Yours very truly,

GREENSFELDER, HEMKER & GALE, P.C.

By


Sheldon K. Stock

SKS/kka
Enclosures
429694.2

cc: Counsel of Record
Gerard Waldron, Esq.
Faith Kasparian, Esq.
Margaret Grebe, Esq.

FILED

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

DEC 11 2000

Missouri Public
Service Commission

In the Matter of the Application of Pathnet,)
Inc. for a Certificate of Service Authority to)
Provide Basic Local Telecommunications)
Services in Portions of the State of Missouri)
and to Classify Said Services and the)
Company as Competitive)

Case No. TA-2000-665

MOTION FOR EXTENSION OF TIME TO FILE FINAL TARIFF

COMES NOW Pathnet, Inc., ("Pathnet") and hereby requests an extension of time to file its Competitive Local Telecommunications Services Tariff. In support of its Motion, Pathnet states as follows:

1. Pathnet applied to the Missouri Public Service Commission ("Commission") on April 19, 2000, for a certificate of service authority to provide basic local telecommunications services in portions of the State of Missouri and to classify said service and company as competitive under Sections 392.420 - .440 RSMo 1994, and Sections 392.410 and .450 RSMo Supp. 1999, the federal Telecommunications Act of 1996, and 4 CSR 240-2.060. Pathnet asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. Pathnet is a Delaware corporation with principal offices located at 11720 Sunrise Valley Drive, Reston, Virginia 20191.

2. The Commission issued a notice and schedule of applicants on April 25, 2000, directing interested parties wishing to intervene to do so by May 25, 2000. On May 5, 2000, Southwestern Bell Telephone Company ("SWBT") filed its application to intervene which was granted on May 30, 2000. No other entity intervened.

3. The parties filed a Stipulation and Agreement ("Agreement") on July 10, 2000. The Staff of the Commission filed Suggestions in Support of the Stipulation and Agreement on July 11, 2000.

4. The Commission, on August 8, 2000, entered the Order Granting Pathnet a Certificate to Provide Basic Local Telecommunications Services with an effective date of August 18, 2000 and ordered Pathnet to file a tariff within 30 days after the effective date of a Commission order approving an interconnection agreement that will allow Pathnet to provide services.

5. On October 16, 2000, Pathnet filed its Competitive Local Telecommunications Services Tariff ("Tariff") with a proposed effective date of November 30, 2000. After discussions with PSC Staff certain alterations were made to the proposed Tariff which were submitted on November 10, 2000.

6. On November 13, 2000, Counsel for Pathnet was informed that Staff wanted additional changes to the proposed Tariff which required further work on the proposed Tariff and further discussions with the Staff which would not give Staff adequate time to review the proposed Tariff so that it could go into effect as of November 30, 2000.

8. On November 15, 2000, Pathnet filed a Petition for an extension of time to file its Tariff no later than December 15, 2000. This extension was granted on November 22, 2000, giving Pathnet until December 15, 2000 to file its tariff.

9. Since the order of November 22, 2000 was entered, the Commission Staff has raised additional concerns about Pathnet's Tariff which have been the subject of continuing discussions with the Staff.

10. Representatives of Pathnet have a meeting scheduled with the Staff on January 5, 2001 to discuss and attempt to reconcile the additional concerns of the Staff after which meeting it is anticipated that Pathnet will be able to revise its proposed Tariff to satisfy Staff's concerns.

11. Baring any further developments, Pathnet will be able to file its Tariff on or before January 31, 2001.

WHEREFORE, Pathnet, Inc., respectfully requests an extension of time to file its initial tariff no later than 3:00 PM on January 31, 2001.

Respectfully submitted,

GREENSFELDER, HEMKER & GALE, P.C.

By:


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Attorney for Pathnet, Inc.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this 8th day of December, 2000 to:

Paul G. Lane, Esq.
Leo J. Bub, Esq.
Anthony K. Conroy, Esq.
Katherine C. Swaller, Esq.
Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, Missouri 63101

Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

Office of General Counsel
Missouri Public Service Commission
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Sheldon K. Stock