

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

Socket Telecom, LLC,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2007-0341
)	
CenturyTel of Missouri, LLC and)	
Spectra Communications Group, LLC)	
d/b/a CenturyTel,)	
)	
Respondents.)	

RESPONDENTS' REPLY TO SOCKET TELECOM'S STATUS REPORT

COME NOW CenturyTel of Missouri, LLC and Spectra Communications Group, LLC d/b/a CenturyTel (collectively "Respondents"), and for their *Reply To Socket Telecom's Status Report* filed on October 2, 2007, respectfully state as follows:

1. Given that the parties have been unable to reach a settlement of this case to date, Respondents agree that there is no need to continue to hold this case in abeyance to allow for a settlement; stipulating, however, that Respondents are willing to continue discussions and that any settlement agreement reached prior to a final commission order would negate a need for such.

2. The parties have filed their respective briefs and the evidentiary record was closed at the conclusion of the evidentiary hearing in July. Further oral argument, as suggested by Socket, not only is unnecessary but entirely inappropriate.

3. First, to schedule additional oral argument at this time is contrary to the Commission's rule respecting the evidentiary record of a case. Commission rule 4 CSR 240-2.150(1) states that "[t]he record of a case shall stand submitted for consideration by the Commission after the recording of all evidence, or if applicable, after the filing of

briefs or the presentation of oral argument". In this case, the record stands submitted and the Commission ordered the filing of briefs at the close of the evidentiary hearing rather than oral argument in lieu of the filing of briefs.

4. Second, this is a complaint proceeding with Socket bearing the burden of proof. The Commission has given Socket more than sufficient opportunity to make its case and Socket should not now be permitted the opportunity to attempt to supplement the evidentiary record through additional oral argument after the close of the record and the filing of briefs.¹

5. Third, further proceedings necessarily will involve additional, unnecessary costs to the parties and would not be in the interest of judicial economy or the use of the Commission's resources.

¹ Socket's unusual inclusion of affidavits attached to its post-hearing pleadings of September 20, 2007 and October 2, 2007 reflect Socket's obvious desire to inappropriately supplement the evidentiary record after the conclusion of the hearing and the filing of briefs. These pleadings, and any information contained therein, clearly are not part of the evidentiary record.

WHEREFORE, Respondents request that the Commission proceed to decision in this case based on the evidentiary record as submitted now before it without scheduling any further proceedings.

Respectfully submitted,

/s/ **Charles Brent Stewart**

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on counsel for all parties of record in Case No. TC-2007-0341 by depositing same in the U.S. Mail, first class postage pre-paid, or by electronic transmission, this 12th day of October, 2007.

/s/ **Charles Brent Stewart**
