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

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In the Matter of the Second Investigation into the State of Competition in the Exchanges of Southwestern Bell Telephone, L.P., d/b/a SBC Missouri.

Case No. TO-2005-0035

## SBC MISSOURI'S RESPONSE TO CLECS' REQUEST FOR ADDITIONAL TIME

SBC Missouri<sup>1</sup> respectfully states that it does not oppose the Missouri Public Service Commission ("Commission") granting the CLECs' Joint Motion for Extension of Time to Respond to Data Requests of SBC Missouri,<sup>2</sup> provided that SBC Missouri is given an opportunity to supplemental surrebuttal testimony with information it receives late in discovery.

 As indicated in the CLECs' Motion, SBC Missouri served discovery requests on the CLECs on December 20, 2004 and their responses were due January 10, 2005. SBC Missouri propounded these data requests to the CLECs in order to obtain information for its surrebuttal testimony, which is due January 21, 2005.

2. The CLECs have requested an additional 10 days to provide answers to these DRs, which would be the day before SBC Missouri's surrebuttal testimony is due. Producing the requested information at such a late date will effectively preclude SBC Missouri from being able to use it in its surrebuttal testimony.

3. SBC Missouri, however, would not oppose the CLECs' Motion for additional time provided SBC Missouri is given leave to supplement its surrebuttal testimony with information received late in discovery.

<sup>&</sup>lt;sup>1</sup> Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, will be referred to in this pleading as "SBC Missouri."

<sup>&</sup>lt;sup>2</sup> The CLECs that filed the Joint Motion for Extension of Time are Big River Telephone Company, LLC, Intermedia Communications, Inc., MCImetro Access Transmission Services, LLC and MCI WorldCom Communications, Inc., NuVox Communications of Missouri, Inc. and Socket Telecom, LLC ("CLECs").

Respectfully submitted,

## SOUTHWESTERN BELL TELEPHONE, L.P. D/B/A SBC Missouri

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## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing document were served to all parties by e-mail on January 14, 2005.

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