

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

Staff of the Public Service Commission of the State of Missouri,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2007-0111
)	
Comcast IP Phone, L.L.C.,)	
)	
Respondent)	
)	

**AT&T MISSOURI’S PETITION FOR LEAVE
TO FILE AMICUS BRIEF**

AT&T Missouri, ¹ pursuant to 4 CSR 240-2.075(6),² respectfully requests the Missouri Public Service Commission (“Commission”) to grant AT&T Missouri leave to file a brief in this proceeding (which is being filed with this Petition) as an *amicus curiae*.

1. AT&T Missouri is a Missouri corporation with its principal Missouri office at One AT&T Center, Room 3520, St. Louis, Missouri 63101. AT&T Missouri is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide telecommunications service" within the State of Missouri, as each of those phrases is defined in Section 386.020, RSMo. 2000.

¹ Southwestern Bell Telephone Company, d/b/a AT&T Missouri, will be referred to in this pleading as “AT&T Missouri.”

² 4 CSR 240-2.075(6) states that

Any person not a party to a case may petition the commission for leave to file a brief as an *amicus curiae*. The petition for leave must state the petitioners interest in the manner and explain why an *amicus* brief is desirable and how the matters asserted are relevant to the determination of the case. A brief may be submitted simultaneously with the petition. Unless otherwise ordered by the commission, the brief must be filed no later than the initial briefs of the parties. If leave to file a brief as *amicus curiae* is granted, the brief shall be deemed filed on the dates submitted. An *amicus curiae* may not file a reply brief.

2. AT&T Missouri has an interest here because the type of services that are the subject of this proceeding are being offered in competition with AT&T Missouri. In addition, AT&T Missouri believes that many of the services of the future will be provided through VoIP technology similar to what Comcast is using here. Determinations made by the Commission in this proceeding could have significant impacts on the development of new and innovative services by AT&T Missouri and other carriers.

3. The jurisdictional issues raised by this case are important to the public and to the telecommunications industry in Missouri and nationwide. These issues are currently being examined by the Federal Communications Commission in its *IP-Enabled Services* proceeding, to which AT&T Missouri is an active party.

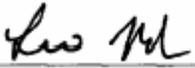
4. In its *Amicus* brief being filed with this Petition, AT&T Missouri provides its views as a competitor and its legal opinions on the jurisdictional issues posed by the Commission. This information would be desirable for the Commission because it bears directly on the issues that the Commission will determine in this case. Earlier in this proceeding, the Commission granted leave to other non-parties to make *amicus* filings in this proceeding.³

³ See Order Granting Motion for Leave to file *Amicus Curiae* Comments, Case No. TC-2007-0111, issued November 29, 2006 (granting STCG leave to file comments opposing Comcast's motion to dismiss); and Order Denying Motion to Suspend Procedural Schedule But Rescheduling Hearing, Case No. TC-2007-0111, issued April 24, 2007 at p. 3 (granting the Missouri Cable Telecommunications Association's request for leave to file *amicus* comments in support of continuance).

WHEREFORE, AT&T Missouri respectfully requests the Commission to grant leave to AT&T Missouri to file the *amicus curiae* brief that is being submitted simultaneously with this brief.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY,
D/B/A AT&T MISSOURI

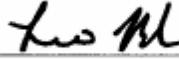
BY 

TIMOTHY P. LEAHY #36197
LEO J. BUB #34326
ROBERT J. GRYZMALA #32454

Attorneys for AT&T Missouri
One AT&T Center, Room 3518
St. Louis, Missouri 63101
314-235-2508 (Telephone)/314-247-0014(Facsimile)
leo.bub@att.com

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on September 14, 2007.



Leo J. Bub

William K. Haas
General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
William.Haas@psc.mo.gov
general.counsel@psc.mo.gov

Michael F. Dandino
Public Counsel
Office of the Public Counsel
PO Box 7800
Jefferson City, MO 65102
mike.dandino@ded.mo.gov
opcservice@ded.mo.gov

Roger W. Steiner
Mark P. Johnson
Sonnenschein Nath & Rosenthal LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
mjohnson@sonnenschein.com

Craig S. Johnson
1648-A East Elm Street
Jefferson City, MO 65101
craig@csjohnsonlaw.com

Brian T. McCartney
Brydon, Swearngen & England P.C.
PO Box 456
Jefferson City, MO 65102
bmccartney@brydonlaw.com