

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

Socket Telecom, LLC,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2006-0479
)	
MCI Communications)	
Services, Inc. d/b/a Verizon)	
Business Services)	
)	
Respondent.)	

RESPONSE TO MOTION TO DISMISS

COMES NOW, Socket Telecom, LLC (Socket), pursuant to 4 CSR 240-2.070, and for its Response to the Motion To Dismiss filed on October 23, 2006 by MCI Communications Services, Inc. d/b/a Verizon Business Services (“Verizon”), respectfully states as follows:

1. On September 28, 2006, the Commission issued its Order Establishing A Procedural Schedule Regarding Jurisdiction. That Order contemplated a phased proceeding by which Verizon could present the threshold issue of “whether the Commission has jurisdiction to hear Socket’s complaint.” Consistent with the Commission’s Order, Verizon filed its Motion To Dismiss and Suggestions in Support on October 23, 2006. Pursuant to the Commission’s Order, Socket’s instant response is due on November 6, 2006.

2. Since the establishment of the instant proceeding, Socket has had the opportunity to engage in certain discovery that has allowed the parties a better

opportunity to clarify the nature of the disputes presented by Socket's Complaint. As a result of that discovery, Verizon has agreed to further credits to Socket's account.

3. Given the recently issued credits, the value of the disputed issues is no longer of such a magnitude to justify Socket's cost of litigating this matter. Moreover, given the numerous other matters involving counsel for Socket, it has been determined that all parties' interests are best met by agreeing to dismiss the pending complaint.

4. As such, without admitting any of the arguments and conclusions contained in Verizon's Motion to Dismiss, and given the recent receipt of billing credits, Socket concurs in Verizon's Motion that the Commission dismiss Socket's complaint.

WHEREFORE, Socket respectfully requests that the Commission issue its Order dismissing Socket's June 15, 2006 Complaint and closing the above-captioned docket.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David L. Woodsmall", is positioned above a horizontal line. To the right of the signature, a vertical red line extends from the top of the signature area down to the contact information below.

David L. Woodsmall, MBE #40747
Stuart W. Conrad, MBE #23966
428 East Capitol, Suite 300
Jefferson City, MO 65101
(573) 635-2700
Facsimile: (573) 635-6998
Internet: dwoodsmall@fcplaw.com

ATTORNEYS FOR SOCKET TELECOM,
INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the forgoing pleading by email, facsimile or First Class United States Mail to all parties by their attorneys of record as provided by the Secretary of the Commission.

A handwritten signature in black ink, appearing to read "David L. Woodsmall", is positioned above a horizontal line. A vertical red line is located to the right of the signature.

David L. Woodsmall

Dated: November 1, 2006