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July 31, 2003

FILED³

JUL 31 2003

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

**Missouri Public
Service Commission**

Re: Delta Phones, Inc. v. Southwestern Bell Telephone Company, L.P.,
d/b/a Southwestern Bell Telephone Company SBC Missouri
Case No. TC-2004-0064

Dear Judge Roberts:

Enclosed for filing in the above-referenced matter please find the original and five copies of
a Motion for Issuance of Amended Notice.

Should you have any questions regarding this filing, please contact me. Thank you.

Sincerely,

NEWMAN, COMLEY & RUTH, P.C.

By:



Cathleen A. Martin
martinc@ncrpc.com

CAM:ab

Enclosures

cc: Office of Public Counsel
General Counsel's Office
Paul G. Lane
Robert Lock

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Missouri Public
Service Commission

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Case No. TC-2004-0064

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Comes now Complainant Delta Phones, Inc. (hereinafter “Delta Phones”) and for its motion for issuance of amended notice of complaint states as follows:

1. Delta Phones filed its complaint against Southwestern Bell Telephone Company, L.P. d/b/a Southwestern Bell Telephone Company (hereinafter “SWBT”) with the Commission on July 25, 2003.
2. The Commission entered its Notice of Complaint on July 28, 2003.
3. Said Notice of Complaint fails to include the following provision: “[p]ursuant to 4 CSR 240-33.110, pending the resolution of this complaint, Respondent shall not discontinue service to Complainant on the basis of the issues that are the subject matter of this complaint” (hereinafter “the provision”).
4. In Case Nos. XC-2003-0421 and LC-2003-0570, the Commission issued Notices of Complaint including the provision.
5. Due to the nature of the issues in the instant complaint and the importance that SWBT comply with 4 CSR 240-33.110, Delta Phones requests that the Commission enter an amended

notice including the provision as a reminder to SWBT that it shall not discontinue services to Delta Phones on the basis of the issues that are the subject matter of the complaint as in Case Nos. XC-2003-0421 and LC-2003-0570.

WHEREFORE, Delta Phones respectfully requests the Commission to enter an amended Notice of Complaint including the provision referenced herein.

Respectfully submitted,



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Attorneys for Delta Phones, Inc.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand delivered, on this 31st day of July, 2003, to:

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

General Counsel's Office
P.O. Box 360
Jefferson City, MO 65102

Paul G. Lane
Southwestern Bell Telephone Company
One Bell Center, Room 3520
St. Louis, MO 63101

