

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

JACOR CONTRACTING, INC.,)
)
 Complainant,)
)
v.)
)
NUVOX COMMUNICATIONS OF)
MISSOURI, INC.,)
)
 and,)
)
SOUTHWESTERN BELL COMMUNICATIONS)
COMPANY D/B/A AT&T MISSOURI)
)
 Respondents.)

File No. CC-2009-0128

ORDER DIRECTING FILING

Issue Date: March 9, 2009

Effective Date: March 9, 2009

On March 9, 2009, the Commission convened a prehearing conference. Because of the current posture of cross-claims that have ensued, the Commission directed the parties to respond in a structured fashion so it can determine the proper procedural schedule for the various claims. The directions provided at the prehearing conference are delineated in the ordered paragraphs below.

THE COMMISSION ORDERS THAT:

1. No later than March 16, 2009, JACOR Contracting, Inc. shall respond to the pending motions to dismiss its complaint and, if wishing to proceed with its complaint, it shall state, with particularity, the relief requested and provisions of law authorizing such relief.

2. No later than March 23, 2009, having filed motions to dismiss this complaint, NuVox Communications of Missouri, Inc. and Southwestern Bell Communications Company d/b/a AT&T Missouri shall show cause as to why their cross-claims cannot be addressed in a separate complaint proceeding.

3. No later than March 23, 2009, the Staff of the Missouri Public Service Commission shall state whether it intends to proceed with a complaint against either telecommunications company, the grounds for that complaint, and show cause as to why such a complaint cannot be addressed in a separate complaint proceeding.

4. Should JACOR Contracting, Inc. pursue its complaint, then the parties shall jointly prepare a stipulation delineating all non-disputed material facts and the Commission's Staff shall file that stipulation no later than March 30, 2009.

5. Should JACOR Contracting, Co. pursue its complaint, then each party shall individually file a pleading delineating all material facts that it believes remain in dispute that would require a finding to be made by the Commission following a contested case hearing. These pleadings shall be filed no later than April 6, 2009.

6. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of March, 2009.