

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

In the Matter of the Application of Birch Telecom)
of Missouri, Inc., d/b/a Birch Communications, and)
Now Communications, Inc., Known in Missouri as)
Now Communications, Incorporated of Delaware,)
d/b/a Cleartel Communications, for Transfer of)
Customer Base.)

File No. TM-2009-0411

ORDER DIRECTING FILING

Issue Date: May 18, 2009

Effective Date: May 18, 2009

On May 14, 2009, Birch Telecom of Missouri, Inc., d/b/a Birch Communications, and Now Communications, Inc., d/b/a Cleartel Communications (NOW), filed a joint Application for Authority to Transfer Assets. The Applicants stated that they entered into an agreement under which NOW will transfer certain assets as described in the Asset Purchase Agreement to Birch. The Asset Transfer Agreement referred to by the application does not have Schedules 2.1 through 6.6, which describe the assets to be transferred, attached. The Commission will, therefore, direct the Applicants to supplement their application. The Commission will also direct its Staff to file a recommendation.

THE COMMISSION ORDERS THAT:

1. No later than May 26, 2009, Birch Telecom of Missouri, Inc., d/b/a Birch Communications, and Now Communications, Inc., d/b/a Cleartel Communications, shall file a supplement to their application describing the assets to be transferred.
2. No later than June 1, 2009, the Staff of the Missouri Public Service Commission shall file its recommendation.

3. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a faint circular stamp.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of May, 2009.