

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

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| In the Matter of the Request of |) | |
| Southwestern Bell Telephone, L.P., d/b/a |) | |
| AT&T Missouri, for a Waiver of Certain |) | Case No. TE-2006-0053 |
| Requirements of 4 CSR 240-29.040(4) |) | |

**STAFF’S MOTION FOR LEAVE TO LATE-FILE
RESPONSE TO MOTION TO STRIKE**

COMES NOW the Staff of the Missouri Public Service Commission and, for its Motion for Leave to Late-File Response to Motion to Strike, states to the Missouri Public Service Commission as follows:

The Small Company Telephone Group (“STCG”) filed its Motion to Strike Portions of the Direct Testimony of AT&T Missouri and Staff on April 3, 2006. Rule 4 CSR 240-2.080 (15) provides that parties shall be allowed not more than ten days from the date of filing in which to respond to any pleading, unless otherwise ordered by the Commission. Accordingly, Staff was permitted by rule to file its response to STCG’s motion by no later than April 13, 2006.

Rule 4 CSR 240-2.050 (3) (B) provides that where an act is permitted to be done by rule of the Commission at or within a specified time, the Commission, at its discretion, may, after the expiration of the specified period, permit the act to be done, where the failure to act was the result of excusable neglect.

Due to the press of other business, Staff was not able to prepare its response to STCG’s motion by April 13, 2006. STCG’s motion is in the nature of an objection to Staff witness William L. Voight’s testimony, which has been prefiled with the Commission, but has not yet been offered as evidence. This testimony will be offered as evidence at the hearing, which is

scheduled for April 17-18, 2006. STCG will have an opportunity to object to Mr. Voight's testimony at that time. The Staff's failure to file its response to STCG's motion by April 13, 2006, was the result of excusable neglect, and STCG will not be harmed by the late filing of the Staff's Response to STCG's motion.

WHEREFORE, the Staff moves the Commission for its order granting the Staff leave to late-file its Response to Motion to Strike.

Respectfully submitted,

/s/ Keith R. Krueger

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile, or electronically mailed to all counsel of record this 14th day of April 2006.

/s/ Keith R. Krueger