

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED³
AUG 15 2006

Missouri Public
Service Commission

R. MARK,)
Complainant)
v.)
Southwestern Bell Telephone, L.P.)
d/b/a AT&T Missouri)
Respondent)

Case No. TC-2006-0354

**COMPLAINT'S ADVISEMENT THAT A RESPONSE SHALL
BE FILED TO RESPONDENT'S PLEADING DATED AUGUST 4, 2006 AND
SUCH RESPONSE SHALL BE FILED ON OR BEFORE AUGUST 22, 2006.**

Comes now Complainant with *COMPLAINT'S ADVISEMENT THAT A RESPONSE SHALL BE FILED TO RESPONDENT'S PLEADING DATED AUGUST 4, 2006, AND SUCH RESPONSE SHALL BE FILED ON OR BEFORE AUGUST 22, 2006*, and states:

1. That the Respondent filed a pleading on August 4, 2006 requesting that this case be dismissed and alleging that it is unable to respond unless it receives "answers" to its Data Requests.

2. Respondent falsely and deceptively indicates in its first paragraph that "Complainant . . . still refuses to respond to virtually any of them," but later in its pleading admits to having received them! Respondent fails to indicate that subsequent to the propounding of the Respondent's data requests to Complainant, Complainant filed a *Motion for Summary Judgment* supported by two affidavits which were incorporated by reference, *inter-alia*, in Complainant's Responses. Also Respondent fails to indicate that the Staff Report supports the Respondent's position and the law as well as the facts.

3. A relative of the Complainant has been hospitalize and the Complainant is in the process of preparing a detailed response to the Respondent's August 4, 2006 pleading. The Response shall be filed on or before August 22, 2006.

4. The Respondent requests that the Commission delay any consideration of the Respondent's August 4, 2006 pleading until it receives the Complainant's detailed response to Respondent's disingenuous "claim:" a false claim that it is unable to file a response to the *Motion for Summary Judgment* without more information from the Complainant!

WHEREFORE, Complainant requests that the Commission delay any consideration of the Respondent's August 4, 2006 pleading until it has received the Complainant's response on or before August 22, 2006.

Respectfully,



Complainant

Copies faxed to the Public Service Commission,
General Counsel's Office, 573-751-9285;
Lewis R. Mills, Jr., Office of Public Counsel,
573-751-5562, and mailed to the Attorneys for
AT&T Missouri, Respondent.

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