

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Big River Telephone Company, LLC,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2007-0085</u>
)	
Southwestern Bell Telephone, L.P.,)	
d/b/a AT&T Missouri,)	
)	
Respondent.)	

ORDER DIRECTING FILING

Issue Date: July 2, 2008

Effective Date: July 2, 2008

On August 23, 2006, Big River Telephone Company, LLC, filed a complaint against Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, alleging that AT&T Missouri had charged Big River amounts for local switching and loops beyond the rates set forth in a Commission-approved interconnection agreement. Big River and the Commission's Staff requested that the Commission stay these proceedings pending appeal of the federal district court order reversing the Commission's interconnection agreement order. AT&T Missouri opposed the stay.

The Commission initially declined to stay the proceedings, scheduling an evidentiary hearing for September 2007. The Commission later canceled that hearing, and this case has been inactive ever since the Commission's September 2007 order canceling the hearing.

The United States Court of Appeals for the Eighth Circuit recently issued an opinion in the appeal that was the genesis of Big River's and Staff's motions to stay these proceedings.¹ The Commission understands the parties may petition the Eighth Circuit for rehearing of its decision. In light of the parties' apparent acquiescence in this case remaining inactive, the Commission sees no reason to move this case forward pending the Eighth Circuit's ruling on the parties' petitions for rehearing. If the parties disagree, they shall file a pleading so stating their reason for disagreement.

IT IS ORDERED THAT:

1. Any party that objects to this case remaining inactive pending the conclusion of the above-referenced litigation shall file a pleading no later than July 12, 2008.
2. This order shall become effective on July 2, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of July, 2008.

¹ *Southwestern Bell Telephone, L.P. v. Missouri Pub. Serv. Comm'n.*, Nos. 06-3701, 06-0726, 06-0727, 2008 WL 2468718 (8th Cir., June 20, 2008).