

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

Staff of the Public Service Commission of the
State of Missouri,

Complainant,

v.

Comcast IP Phone, LLC,

Respondent.

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Case No. TC-2007-0111

**ORDER ESTABLISHING TIME FOR RESPONSE TO MOTION TO
DISMISS AND TO APPLICATION TO INTERVENE**

Issue Date: October 30, 2006

Effective Date: October 30, 2006

The Commission's Staff has filed a complaint against Comcast IP Phone, LLC, alleging that Comcast is offering telecommunications services in Missouri without the necessary certificates of service authority. On October 26, 2006, Comcast filed a motion asking the Commission to dismiss that complaint, alleging that the Commission lacks jurisdiction over the services offered by Comcast. On October 30, the Missouri Independent Telephone Company Group (MITG) filed an application to intervene in support of Staff's complaint.

4 CSR 240-2.080(15) provides that parties are allowed not more than ten days in which to respond to any pleading unless otherwise ordered by the Commission. That means that responses to Comcast's motion to dismiss would be due on November 6, while responses to MITG's application to intervene would not be due until November 9. The

Commission would like to determine whether MITG will be allowed to intervene, and thus be given an opportunity to respond to Comcast's motion to dismiss, before the deadline for filing responses to the motion to dismiss. For that reason, the Commission will establish new deadlines for the filing of responses to the motion to dismiss and the application to intervene.

IT IS ORDERED THAT:

1. Any party wishing to respond to the Application to Intervene in Support of Complaint filed by the Missouri Independent Telephone Company Group shall do so on or before November 6, 2006.
2. Any party wishing to respond to the Motion to Dismiss filed by Comcast IP Phone, LLC, shall do so on or before November 13, 2006.
3. This order shall become effective on October 30, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 30th day of October, 2006.