

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Duke Manufacturing Co.,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2008-0191</u>
)	
McLeodUSA Telecommunications)	
Services, Inc.,)	
)	
Respondent.)	

ORDER GRANTING REQUEST FOR EXTENSION OF TIME TO FILE
REPLY

Issue Date: February 28, 2008

Effective Date: February 28, 2008

On February 1, 2008, Staff filed its “Motion to Join AT&T Missouri as a Party” to this matter. Southwestern Bell Telephone Company d/b/a AT&T Missouri (“AT&T Missouri”) filed a pleading opposing Staff’s motion on February 11, 2008. Ten days later, on February 21, 2008, John B. Coffman filed a pleading in which he asked that the Commission accept his entry of appearance as counsel for Complainant Duke Manufacturing Co. (“Duke”). He also requested an additional five days to prepare Duke’s reply to AT&T Missouri’s response to Staff’s motion,¹ explaining that Duke needed the extra time “[s]ince new counsel has only recently been retained.” On February 27, 2008, the Commission granted Diana M. Vuylsteke’s request for leave to withdraw as counsel of record for Duke, and recognized Mr. Coffman as new counsel of record for Duke in this matter.

¹ According to Commission Rule 4 CSR 240-2.080(15), parties are “allowed not more than ten (10) days from the date of filing in which to respond to any pleading unless otherwise ordered by the commission.” Under this rule, Duke had until February 21, 2008 to file a timely reply to AT&T Missouri’s response.

Given the circumstances set forth above, the Commission finds Duke's request, which is authorized by Commission Rule 4 CSR 240-2.050(3)(A) and has not been opposed by anyone involved in this case, including AT&T Missouri,² to be entirely reasonable and shall grant it.

IT IS ORDERED THAT:

1. Duke Manufacturing Co.'s request for a five-day extension of time to file a reply to the pleading filed on February 8, 2008 by Southwestern Bell Telephone Company d/b/a AT&T Missouri is granted. The company shall file its reply with the Commission by no later than March 4, 2008.

2. This order shall become effective on February 28, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory Law
Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 28th day of February, 2008.

² In fact, on February 22, 2008, the Office of the Public Counsel filed a pleading consenting to Duke's request for an extension of time.