

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

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

**ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE**  
**STAFF REPORT**

Issue Date: January 29, 2008

Effective Date: January 29, 2008

Duke Manufacturing Co. ("Duke") filed a formal complaint against Respondent McLeodUSA Telecommunications Services, Inc. ("McLeod") on December 11, 2007. Exhibit 1 attached to the complaint lists nearly 100 contacts concerning approximately 15 service issues between Duke and McLeod going back over a two-year period.

On December 14, 2007, the Commission notified McLeod of the complaint and allowed it thirty days in which to answer as provided by 4 CSR 240-2.070(7). On the same day, the Commission also directed the Staff to investigate this matter and to file a report concerning the results of that investigation no later than one week after McLeod filed its answer. McLeod filed its answer on January 14, 2008. The answer generally denies that McLeod has failed to provide adequate, just, and reasonable services, and asserts that the majority of the chronic service issues identified by Duke in its complaint relate to the condition of several access loops provided by AT&T Missouri.

On January 18, 2008, Staff filed a pleading captioned “Motion to Postpone Filing Report and Motion to Schedule Prehearing Conference.” In this pleading, Staff requested that the Commission extend the due date for Staff’s report from January 21, 2008 to an unspecified later date, explaining that “Staff’s investigation will of necessity include extensive inquiries of Duke, McLeod, and AT&T Missouri and an examination of the facilities of Duke, McLeod, and AT&T Missouri, as well as that of any other as yet unidentified connecting carriers.” The Commission finds Staff’s request, which is authorized by Commission Rule 4 CSR 240-2.050(3)(A) and has not been opposed by Duke or McLeod, to be reasonable under the circumstances and shall grant it.

In the same pleading, Staff also requested that the Commission schedule a prehearing conference in this matter, at which time the parties will develop a proposed procedural schedule, including the time for Staff to file testimony on its investigation. The Commission shall grant this request, which has also not been opposed by Duke or McLeod, as well.<sup>1</sup>

**IT IS ORDERED THAT:**

1. Staff’s Motion to Postpone Filing Report and Motion to Schedule Prehearing Conference, which was filed on January 18, 2008, is granted. Staff shall file a report concerning the results of its investigation of Duke Manufacturing Co.’s formal complaint against McLeodUSA Telecommunications Services, Inc. at a date to be determined by the Commission in a subsequent order.

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<sup>1</sup> The prehearing conference will be actually scheduled in a separate order.

2. This order shall become effective on January 29, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name.

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 29th day of January, 2008.