

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

Staff of the Public Service Commission)	
of the State of Missouri)	
)	
Complainant,)	
)	
v.)	Case No. TC-2006-0184
)	
New Florence Telephone Company)	
)	
Respondent.)	

**JOINT MOTION FOR SUSPENSION OF PROCEDURAL SCHEDULE AND
MOTION FOR EXPEDITED TREATMENT**

COME NOW Complainant Staff of the Missouri Public Service Commission (Staff) and Respondent New Florence Telephone Company (New Florence) by and through the undersigned counsel, and request that the Commission suspend the procedural schedule in the referenced case until May 1, 2006, and grant expedited treatment of this request. In support thereof, Staff and New Florence state the following:

1. On October 25, 2005, Staff filed its Complaint against New Florence. The Commission docketed the Complaint as captioned above. Thereafter on November 23, 2005, New Florence filed its Answer and affirmative defenses.

2. On January 5, 2006, the Missouri Public Service Commission (Commission) issued its Order Adopting Procedural Schedule in the referenced case. That order included procedural deadlines, including an evidentiary hearing on May 10 and 11, 2006.

3. Counsel for Complainant and Respondent have discussed possible settlement of the instant Complaint, and other matters. Settlement discussions have progressed to the point that both parties believe they hold promise for the submission of a comprehensive settlement to the Commission for its consideration.

4. To permit settlement discussions to move forward toward resolution of the instant Complaint and other related matters that affect the ongoing operation of New Florence, without simultaneously committing substantial resources to preparation for hearings, Staff and New Florence believe it would be productive to suspend the procedural schedule and any obligation to make any filings with respect to prepared testimony, discovery requests, pending motions or responsive pleadings, in this case approximately 30 days, until May 1, 2006.

5. An additional consideration for a delay is that it will permit the Parties to direct their efforts to resolution of multiple issues involving the current ownership of New Florence, including actions that may result in the transfer of company ownership to new parties, with Commission authorization. Included in such efforts will be the further review of and attempts to reach agreement regarding the accuracy of company books and records, which Staff believes is necessary for both any prospective sale of New Florence and for New Florence's recertification for federal USF funds. If the procedural schedule is suspended, New Florence will waive any applicable statute of limitation defense available to it

in this case to the extent such waiver is required to effect a tolling of each such statute of limitation until May 1, 2006. New Florence makes this commitment in order to facilitate settlement discussions and to maintain the *status quo* with respect to any prospective recovery of statutory penalties the Commission might seek against New Florence for acts before January 1, 2006. This agreement is memorialized in Attachment A, affixed hereto, and incorporated herein by reference.

6. Staff and New Florence further request the Commission grant expedited treatment to this Motion and grant it as soon as possible pursuant to Commission Rule 4 CSR 240-2.080(16). Staff and New Florence specifically request the Commission grant this Motion on or before March 27, 2006. Under the procedural schedule New Florence is to file rebuttal testimony by March 28, 2006. The granting of this motion will prevent the utilization of resources to prepare for litigation by all Parties in this case and thus will avoid any undue negative impact on New Florence's customers. This pleading has been filed as soon as it could have been once the Parties' negotiations reached this point.

7. The Office of the Public Counsel does not oppose this Joint Motion.

WHEREFORE, the Staff and New Florence jointly request the Commission to suspend the procedural schedule in this matter until May 1, 2006, and grant expedited treatment of this request, for the reasons aforesaid.

Respectfully Submitted,

BRYDON, SWEARENGEN & ENGLAND. PC

By:



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Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail, first class mail or by hand delivery, on this 24th day of March, 2006, to the following:

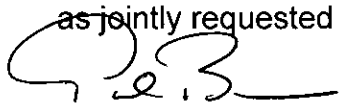
Mr. Michael Dandino
Governor Office Building
200 Madison Street
Jefferson City, MO 65101



CONDITIONAL AGREEMENT TO TOLL AND SUSPEND
STATUTE OF LIMITATION

For and in consideration of the Complainant Staff's promise to postpone further prosecution of its Complaint in Case No. TC-2006-0184 until May 1, 2006, and further conditioned upon the Commission suspending the proceedings in Case No. TC-2006-0184 as jointly requested by Respondent New Florence Telephone [hereinafter "New Florence"] and the Staff, New Florence agrees to waive any applicable statute of limitation from the date of the filing of the joint motion until May 1, 2006, with regard to penalties the Commission may seek for any acts of New Florence done before January 1, 2006, including those raised by the Staff in Case No. TC-2006-0184, to the extent of any waiver is required to effect a tolling of each such statute of limitation. New Florence grants such a waiver only for the period described above.

The Staff promises to postpone further prosecution of its Complaint in Case No. TC-2006-0184 until May 1, 2006. The Staff's promises are conditioned upon the Commission suspending the proceedings in Case No. TC-2006-0184 as jointly requested by New Florence and the Staff.



Attorney for New Florence

Date: 3/24/06



Attorney for Staff

Date: 3/24/06

Attachment A