

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Nexus Communications, Inc.,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. TC-2011-0132</u></b>
	)	
Southwestern Bell Telephone, L.P.,	)	
d/b/a AT&T Missouri	)	
	)	
Respondent.	)	

## ORDER AMENDING SCHEDULE AND DIRECTING FILING

Issue Date: July 11, 2011

Effective Date: July 11, 2011

The Missouri Public Service Commission is amending the procedural schedule pursuant to the *Joint Motion to Extend Discovery Period and Modify Procedural Schedule* ("joint motion").

Nexus Communications, Inc., ("Nexus") and Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri ("ATT"), filed the joint motion on July 8, 2011. In the joint motion, Nexus and ATT state that Staff has no objection. Because the Office of Public Counsel has made no appearance, the Commission will waive the regulatory response period.<sup>1</sup>

Nexus and ATT ask for an order denying [Nexus]'s *Motion to Extend Discovery Period*. The joint motion constitutes the response of ATT to, and renders moot, [Nexus]'s *Motion to Extend Discovery Period*. The Commission will grant that request.

Nexus and ATT also ask for an order and suspending the date set in the June 28 *Order Setting Deadline for Filing Motions Regarding ADR Clause*. The Commission will

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<sup>1</sup> 4 CSR 240-2.080(15).

grant that request. The Commission will also direct the filing of proposed deadlines for filing such motion.

Therefore, the Commission will order the procedural schedule as follows.

**THE COMMISSION ORDERS THAT:**

1. The procedural schedule shall be as follows, with all dates in 2011.

<b>Not Later Than</b>	<b>Event</b>
	<i>Pre-Filed Testimony Due</i>
August 16	Nexus Supplemental/Amended Direct
September 16	ATT Rebuttal to Nexus
October 17	Staff Direct
November 11	ATT Rebuttal to Staff Nexus Rebuttal to Staff Nexus Sur-Rebuttal to ATT
	<i>Hearing Matters</i>
November 18	Pre-Hearing Conference
November 25	<i>Filings:</i> Stipulations of Fact; Issues List; Statement of Positions; Witness Lists; and Order of Hearing
December 6-7	Evidentiary Hearing on the Merits of the Complaint

The Commission will determine the briefing schedule at the close of the evidentiary hearing.

2. The Order of Hearing shall address opening statements, witnesses, and cross-examination.

3. Any discovery response shall be served no later than August 31. Any discovery request shall be served timely to allow the full period for responses. Any discovery motion shall be filed no later than September 7.

4. The date set in the June 28 *Order Setting Deadline for Filing Motions Regarding ADR Clause* is suspended. No later than July 21, 2011, Nexus

Communications, Inc., ("Nexus") and Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri ("ATT") shall file proposed deadlines for filing any motion seeking relief based on any dispute resolution provision in the interconnection agreement between ATT and Nexus. Any other party may make such filing by such date.

5. *Nexus Communications, Inc.'s Motion to Extend Discovery Period* is denied as moot.

6. The pre-hearing conference and evidentiary hearing will begin at 9:00 A.M. in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The pre-hearing conference and evidentiary hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act and any person who needs additional accommodations to participate in the pre-hearing conference or evidentiary hearing shall contact the Commission before such event. Such contact shall be through the Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711.

7. This order shall be effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Daniel Jordan, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 11<sup>th</sup> day of July, 2011.