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March 10, 2005

**Via Federal Express**

Mr. Dale H. Roberts  
Executive Secretary  
MISSOURI PUBLIC SERVICE COMMISSION  
200 Madison Street, Suite 100  
Jefferson City, Missouri 65101

**RE: Case No. TC-2005-0294**

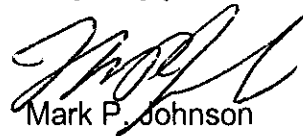
Dear Mr. Roberts:

Enclosed for filing with the Commission please find the original and eight copies of the Motion for Stay to Include Navigator Telecommunications, LLC in the above-referenced case. Please return one "filed" copy of the motion to me in the enclosed return envelope.

By copy of this letter, I have served a copy of the motion upon all counsel of record via U.S. mail.

If you have any questions, please give me a call.

Very truly yours,

  
Mark P. Johnson

MPJ/rgr  
Enclosures  
cc: All Parties of Records (w/encl.) (via U.S. mail)

**FILED<sup>3</sup>**

**MAR 11 2005**

**Missouri Public  
Service Commission**

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Big River Telephone Company, LLC, Birch  
Telecom of Missouri, Inc., Ionex  
Communications, Inc., NuVox Communications  
of Missouri, Inc., Socket Telecom, LLC, XO  
Communications Services, Inc., and  
Xspedius Communications, LLC,

Complainants,

v.

Southwestern Bell Telephone, L.P.,  
d/b/a SBC Missouri,

Respondent.

Case No. TC-2005-0294

**FILED<sup>3</sup>**  
MAR 11 2005  
Missouri Public  
Service Commission

**MOTION FOR STAY TO INCLUDE  
NAVIGATOR TELECOMMUNICATIONS, LLC**

Comes now Navigator Telecommunications, LLC ("Navigator"), and pursuant to Chapter 392.250 RSMo., moves the Commission to extend the stay and Order Requiring Continued Provisioning of Service, issued in this proceeding on March 10, 2005, to Navigator. In support of this motion, Navigator states the following:

1. Navigator filed its Application to Intervene in this proceeding on March 8, 2005. The Commission issued its Notice of Complaint on March 9, 2005.
2. On March 10, 2005, the Commission issued its Order Requiring Continued Provisioning of Service ("the Order"), mandating the continued provision by the Respondent of certain services to competitive local exchange carriers in Missouri.
3. Navigator believes that the Order already protects Navigator against the loss of the services specified Ordered paragraph 1, but out of an abundance of caution, and if the Commission believes such action must be taken, Navigator moves the Commission to specifically apply the Order to Navigator as well.

4. Unless the Commission already believes that the Order extends to Navigator, the telecommunications industry in Missouri will be faced with a situation in which many competitive local exchange carriers will not have the protection of that order. Absent application of order to Navigator, the company would suffer irreparable harm pending resolution of the issues in this proceeding.

Wherefore, Navigator Telecommunications, LLC respectfully requests that the Commission forthwith extend the Order Requiring Continued Provisioning of Service to Navigator.

Respectfully submitted,



Mark P. Johnson #30740

James M. Kirkland #50794

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**ATTORNEYS FOR NAVIGATOR  
TELECOMMUNICATIONS, INC.**


**VERIFICATION**

STATE OF MISSOURI     )  
                                      ) ss.  
COUNTY OF JACKSON    )

Comes now Mark P. Johnson, being of lawful age and duly sworn, and who swears and affirms as follows:

1. My name is Mark P. Johnson and I am an attorney for Navigator Telecommunications, LLC.
2. I am authorized by Navigator Telecommunications, LLC to execute and verify the foregoing on its behalf.
3. I have reviewed the foregoing, and its contents are true and correct to the best of my knowledge and belief.

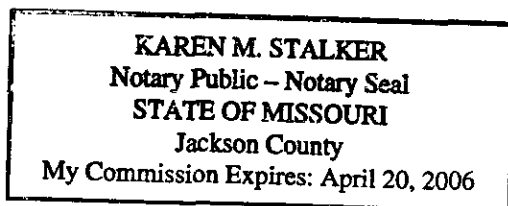
Further affiant sayeth not.

  
\_\_\_\_\_  
Mark P. Johnson

Sworn to and subscribed before me on this 10<sup>th</sup> day of March, 2005.

  
\_\_\_\_\_  
Notary Public

My commission expires:



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 10<sup>th</sup> day of March, 2005, a copy of the above and foregoing was served by First-Class United States mail, postage prepaid, to:

Office of the General Counsel  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

Office of the Public Counsel  
P. O. Box 2230  
Jefferson City, MO 65102

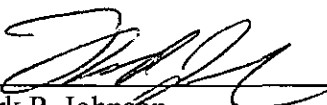
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\_\_\_\_\_  
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