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June 30, 2004

FILED⁴

JUL 01 2004

**Missouri Public
Service Commission**

Mr. Dale Hardy Roberts, Secretary
Missouri Public Service Commission
200 Madison St.
Jefferson City, MO 65101

Re: Second Motion to Accept Late-Filed Pleading – Case No. TC-2004-0314

Dear Mr. Roberts:

Enclosed for filing with the Commission are an original and eight (8) copies of the AGL Networks, LLC Second Motion to Accept Late-Filed Pleading, plus an additional copy to be file-stamped and returned to me in the enclosed self-addressed, stamped envelope.

Please contact me with any questions or concerns. Thank you.

Sincerely,



16265 Waterfront Way
St. Louis, MO 63040
(636) 458-4580

Enclosures

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED⁴

JUL 01 2004

The Staff of the Missouri Public Service
Commission,

Complainant,

v.

AGL Networks, LLC,

Respondent.

Missouri Public
Service Commission

Case No. TC-2004-0314

SECOND MOTION TO ACCEPT LATE-FILED PLEADING

COMES NOW AGL Networks, LLC (AGL), by its attorneys, and for its Second Motion to Accept Late-Filed Pleading, respectfully states as follows:

1. On Friday, June 25, 2004, the undersigned counsel for AGL personally hand-delivered the original and the required number of copies of AGL's Verified Petition For Rehearing Or In The Alternative For Extension Of Time To File Annual Report (Petition for Rehearing) to a UPS mailing center in St. Louis County, where AGL counsel resides and works, and requested and paid for guaranteed delivery by no later than 10:30 AM Monday, June 28, 2004, the due date for any petition for rehearing in this case.¹

2. On the afternoon of Monday, June 28, 2004, when the undersigned counsel called UPS to track delivery of this filing, he was informed that UPS records showed an attempt to deliver the filing that morning at 9:39 AM, but UPS records also reported that the office of the Secretary of the Missouri Public Service Commission was closed at that time, and that no further attempt to deliver the filing was made by UPS on June 28.

¹ Counsel attests that a true and accurate copy of the receipt for this requested UPS delivery is attached hereto and incorporated herein by reference.

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3. The undersigned counsel telephoned the office of the Commission's Data Center on June 29, 2004, and verified that the office indeed was not closed at all during normal business hours on June 28, 2004.

4. The undersigned counsel telephoned UPS again, on June 29, and requested earliest possible delivery on June 29, but was told that UPS could only guarantee a second attempt sometime on June 29 and a third attempt sometime on June 30.

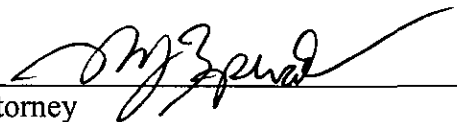
5. The now-to-be late-filed AGL Petition refers (at Section (B)(5) on p. 10) to a second filing that was also supposed to be delivered to the Commission by UPS on June 28, 2004 -- an Erratum to AGL's 2002 Annual Report; of course, the Erratum was not timely delivered to the Commission either.

6. Counsel for AGL has today (June 30, 2004) been informed by UPS that, instead of delivering AGL's Petition for Review and Erratum to the Commission on June 29 or 30, 2004, for reasons perhaps never to be understood by any rational living being, UPS instead shipped both filings back to a UPS warehouse in St. Louis where they both still sit as of this writing, to the best of counsel's information, knowledge and belief.

7. Counsel for AGL today has once again stressed to UPS the importance of delivering AGL's Petition for Rehearing and Erratum to the Commission no later than 10:30 AM tomorrow morning, July 1, 2004, but of course in light of past occurrences it appears to be anybody's guess as to when these filings might actually arrive at the Commission; hopefully, UPS will find some way to make this "next day" delivery within a week's time, or by Friday, July 2, 2004.

WHEREFORE, AGL through its undersigned counsel, respectfully requests a further extension of time be granted in this case that will permit AGL to file its Verified Petition for Rehearing by no later than July 2, 2004, for good cause shown, although this request is made without prejudice to AGL's potential need to request still further extension(s) of time within which UPS may be able to locate the offices of the Missouri Public Service Commission.

Respectfully submitted,
AGL Networks, LLC

By: 
Its Attorney
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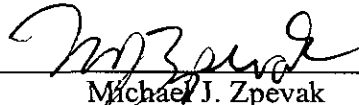
and Of Counsel

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June 30, 2004

Certificate of Service

I hereby certify that true copies of the foregoing Motion to Accept Late-Filed Pleading was mailed, first-class postage pre-paid, to the following individuals and addresses, this 30th day of June, 2004.



Michael J. Zpevak
Attorney for AGL Networks, LLP

Copies to:

David A. Meyer
Associate General Counsel
Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

John Coffman, Esq.
Office of the Public Counsel
State of Missouri
P.O. Box 7800
Jefferson City, MO 65102

The UPS Store PARCEL SHIPPING ORDER Rev. 6/03

CUSTOMER (please print)

PRINT NAME	MICHAEL ZPEVAK	DATE	6/25/04
STREET	16365 WATERFRONT WAY	PHONE	(636)458-4240
CITY/STATE/ZIP	GRANDVIEW MO 63040	E MAIL:	

PARCEL SHIPPING ORDER

No. 41704968

PKG.	SENT TO:	LIST ALL CONTENTS	DECLARED VALUE	C.O.D. AMT.	ZONE	WT	DIM. WT.	CK. ONE	Pkg. Charges Amt	Type
A	NAME	DALE HARDY ROBERTS	\$	\$				<input type="checkbox"/> SONIC AIR	22.00	SHP CHG
	MO. PUBLIC SERVICE COMM		<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PACKED BY CUSTOMER				<input type="checkbox"/> EARLY A.M.		DEC VAL
	STREET	200 MADISON ST. APT. #	<input type="checkbox"/> COMMERCIAL					<input checked="" type="checkbox"/> NEXT DAY AIR		COD
	CITY/STATE/ZIP	JEFFERSON CITY MO 63101	BREAKABLE	REPLACEABLE				<input type="checkbox"/> 2ND DAY AIR		PKG LABOR
	E MAIL:	EPSO#	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/> 3 DAY SELECT		PKG MAT
		SEE #3 BELOW	SEE BACK				<input type="checkbox"/> GROUND			
							<input type="checkbox"/> OTHER			
B	NAME		\$	\$				<input type="checkbox"/> SONIC AIR		SHP CHG
			<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PACKED BY CUSTOMER				<input type="checkbox"/> EARLY A.M.		DEC VAL
	STREET	APT #	<input type="checkbox"/> COMMERCIAL					<input type="checkbox"/> NEXT DAY AIR		COD
	CITY/STATE/ZIP	PHONE	BREAKABLE	REPLACEABLE				<input type="checkbox"/> 2ND DAY AIR		PKG LABOR
	E MAIL:	EPSO#	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/> 3 DAY SELECT		PKG MAT
		SEE #3 BELOW	SEE BACK				<input type="checkbox"/> GROUND			
							<input type="checkbox"/> OTHER			
C	NAME		\$	\$				<input type="checkbox"/> SONIC AIR		SHP CHG
			<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> PACKED BY CUSTOMER				<input type="checkbox"/> EARLY A.M.		DEC VAL
	STREET	APT #	<input type="checkbox"/> COMMERCIAL					<input type="checkbox"/> NEXT DAY AIR		COD
	CITY/STATE/ZIP	PHONE	BREAKABLE	REPLACEABLE				<input type="checkbox"/> 2ND DAY AIR		PKG LABOR
	E MAIL:	EPSO#	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/> 3 DAY SELECT		PKG MAT
		SEE #3 BELOW	SEE BACK				<input type="checkbox"/> GROUND			
							<input type="checkbox"/> OTHER			

1. Subject to the terms and conditions herein, this The UPS Store™ center ("we" or "us") will receive and forward parcels for customer ("you"). The carrier for all parcels accepted by us shall be UPS unless otherwise noted (other _____). Parcels accepted from you are subject to refusal for shipment by the carrier. You represent that your true name and address appear above.

2. We do not accept hazardous material, illegal items or articles of unusual value, including but not limited to cash and jewelry for shipment.

3. We assume no liability for the delivery of the parcels accepted for shipment or for loss or damage by any cause to the parcels or their contents while in transit. We are not liable for the failure of the carrier to properly collect or remit funds for C.O.D. parcels. If recipient's form of payment is accepted for C.O.D. by the carrier, you assume all risk. You acknowledge that you have read

and understand the instructions on the C.O.D. Tag and further agree that you accept all risk, including but not limited to, risk of nonpayment, insufficient funds and forgery. You further agree that we will not be liable upon any such instrument.

(Continued on back).

CUSTOMER'S SIGNATURE

I certify that I agree to the terms and conditions herein, and that the stated contents and the value of each package listed is truthful and complete.

SIGN HERE X

CUSTOMER COPY www.theupsstore.com

© 2003 MAIL BOXES ETC., INC. © (2003 Ed., Rev.2003) (FORM #220105)

SUB-TOTAL \$

TAX

TOTAL CHARGES \$

Thank You

EMPLOYEE INITIALS