

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

In the Matter of the Investigation of the)
State of Competition in the Exchanges of) Case No. TO-2001-467
Southwestern Bell Telephone Company.)

**OFFICE OF THE PUBLIC COUNSEL'S REQUEST FOR
LEAVE TO FILE ITS POSITION STATEMENT OUT OF TIME**

The Office of Public Counsel asks the Public Service Commission for leave to file its brief on December 12, 2006, one day out of time due to illness of undersigned counsel on Monday, December 11, 2006. Counsel filed its brief by the end of the business day on December 12th and emailed it to all counsel of record at that time. Public Counsel submits that the late filing does not prejudice any party and it was not done for purposes of delaying the proceedings.

For the foregoing reasons, Public Counsel asks the Commission to grant leave to Public Counsel to file its brief one day out of time.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ **Michael F. Dandino**

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to all parties by e-mail on December 13, 2006.

/s/ **Michael F. Dandino**
