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September 8, 2004

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

FILED²
SEP 08 2004
Missouri Public
Service Commission

Re: Case No. TO-2005-0037

Dear Judge Roberts:

Please find enclosed for filing in the above-referenced matter the original and five copies of Birch Telecom of Missouri, Inc.'s Concurrence in CLEC's Proposed Procedural Schedule and Supporting Suggestions.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
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MWC:ab

Enclosure

cc: Office of Public Counsel
General Counsel's Office
Rose Mulvany Henry
All Counsel of Record

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

FILED²
SEP 08 2004
Missouri Public
Service Commission

In the Matter of the Determination of Prices,)
Terms, and Conditions of Certain Unbundled)
Network Elements. Consideration Upon Remand)
from the United States District Court.)

Case No. TO-2005-0037

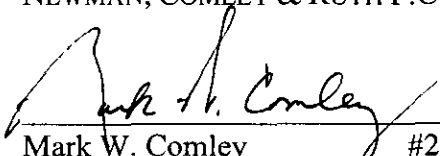
**BIRCH TELECOM OF MISSOURI, INC.'S CONCURRENCE IN CLEC'S
PROPOSED PROCEDURAL SCHEDULE AND SUPPORTING SUGGESTIONS**

Comes now Birch Telecom of Missouri, Inc. ("Birch"), by and through its undersigned counsel, and states that it concurs in the CLEC's Proposed Procedural Schedule and Supporting Suggestions filed herein this date by NuVox Communications of Missouri, Inc., XO Missouri, Inc., Allegiance Telecom of Missouri, Inc., MCI WorldCom Communications, Inc. MCImetro Access Transmission Services, LLC, AT&T Communications of the Southwest, Inc., TCG St. Louis and TCG Kansas City ("CLECs").

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By:


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Attorneys for Birch Telecom of Missouri, Inc.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail or by U.S. Mail, postage prepaid, on this 8th day of September, 2004, to:

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Jefferson City, MO 65102

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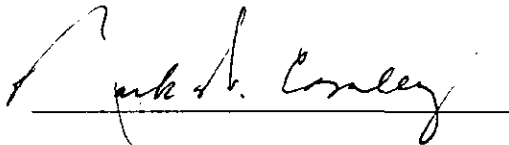
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A handwritten signature in black ink, appearing to read "Carl J. Lumley", is written over a horizontal line.