

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Big River Telephone Company, LLC,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2007-0085</u>
)	
Southwestern Bell Telephone, L.P.,)	
d/b/a AT&T Missouri,)	
)	
Respondent.)	

ORDER CANCELING EVIDENTIARY HEARING

Issue Date: September 18, 2007

Effective Date: September 18, 2007

On August 23, 2006, Big River Telephone Company, LLC (Big River), filed a complaint against Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri (AT&T Missouri). On March 5, 2007 the Missouri Public Service Commission issued an order in this case which, among other things, scheduled an evidentiary hearing for September 24-25, 2007.

On September 7, 2007, the Commission directed the parties to respond to specific questions. Those questions were intended to assist the Commission in making a decision regarding two key issues. First, is Big River seeking relief that can be granted by this Commission? Second, is the Local Wholesale Complete agreement¹an

¹ By its order issued on August 12, 2005, in Case No. TK-2006-0073, the Commission approved an interconnection agreement made and submitted by Big River and AT&T, that was a product of an arbitration between the companies before the Commission in Case No. TO-2005-0336.

interconnection agreement or an amendment to the interconnection agreement between Big River and AT&T previously approved by the Commission?²

Based upon the responses to the September 7, 2007 order, the Commission finds that the hearing currently scheduled for September 24-25 is likely unnecessary to resolve this case. To allow the Commission sufficient time to fully analyze the information before it, without the Commission or the parties spending time and resources on a hearing that may be unnecessary, the hearing currently scheduled for September 24-25, 2007, shall be canceled. If the Commission ultimately finds an evidentiary hearing is necessary to resolve Big River's complaint, the hearing shall be rescheduled.

IT IS ORDERED THAT:

1. The evidentiary hearing scheduled in this case for September 24-25, 2007, is canceled.
2. This order shall become effective on September 18, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Cherlyn D. Voss, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of September, 2007.

² The Local Wholesale Complete agreement referenced by the parties is an attachment to the COMMERCIAL AGREEMENT affixed as Schedule H-10 to the prefiled direct testimony of Big River Telephone Company, LLC witness Gerard J. Howe.