

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

Socket Telecom, LLC,)	
)	
Complainant,)	
v.)	
)	
CenturyTel of Missouri, LLC dba CenturyTel and)	Case No. TC-2007-0341
Spectra Communications Group, LLC dba)	
CenturyTel,)	
)	
Respondents.)	

**STAFF'S RESPONSE TO MITG'S APPLICATION FOR
LEAVE TO FILE A BRIEF AS AMICUS CURIAE**

COMES NOW the Staff of the Missouri Public Service Commission and for its response states:

1. As explained below, the Staff does not object to MITG's Application for Leave to File a Brief as Amicus Curiae.

2. On March 19, 2007, Socket Telecom, LLC filed a Complaint against Respondents CenturyTel of Missouri, LLC and Spectra Communications Group, LLC d/b/a CenturyTel, alleging that CenturyTel is violating a Commission-approved interconnection agreement by its refusal to fulfill orders to port certain numbers.

3. On June 8, 2007, the Missouri Independent Telephone Company Group (MITG) filed an Application for Leave to File Brief as Amicus Curiae.

4. On June 13, 2007, the Complainant Socket Telecom responded that the Commission should deny MITG's Application.

5. Commission rule 4 CSR 240-2.075(6) provides:

(6) Any person not a party to a case may petition the commission for leave to file a brief as an *amicus curiae*. The petition for leave must state the petitioner's

interest in the matter and explain why an *amicus* brief is desirable and how the matters asserted are relevant to the determination of the case. The brief may be submitted simultaneously with the petition. Unless otherwise ordered by the commission, the brief must be filed no later than the initial briefs of the parties. If leave to file a brief as an *amicus curiae* is granted, the brief shall be deemed filed on the date submitted. An *amicus curiae* may not file a reply brief.

6. *In the matter of Additional Magistrates for St. Louis County*, 580 S.W. 2d 288, 294 (Mo. banc 1979), the Court explained the function of an *amicus*.

Usually an *amicus* acts either as a defender of the court's dignity and honor where such is impugned, or as an assistant to the court to aid it in resolving a controversy. *Amicus* may also act in the interests of a private client with an interest in the litigation, in which case he is more akin to an intervenor, except that he is not made a party and thus is not bound by the court's judgment. (internal citations omitted).

7. In the Application for Leave to File a Brief as *Amicus Curiae*, the MITG companies state that they are interested in the issues raised by the testimony in this case; that the outcome of this case may have an impact on other carriers, in particular other local competitors; that granting the Application is in the public interest; and that they are at this point opposed to the complaint raised by Socket Telecom.

8. Because MITG's Application appears to comport with the standards set forth in 4 CSR 240-2.075(6) for requesting leave to file a brief as an *amicus curiae*, the Staff does not object to MITG's Application.

Respectfully submitted,

/s/ William K. Haas

William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-7510 (Telephone)
(573) 751-9285 (Fax)
william.haas@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 20th day of June 2007.

/s/ William K. Haas

William K. Haas