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July 7, 2004

FILED

JUL 07 2004

**Missouri Public
Service Commission**

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

Re: Case No. TO-2004-0576

Dear Judge Roberts:

Please find enclosed for filing in the referenced matter the original and five copies of AT&T Communications of the Southwest, Inc.'s and Birch Telecom of Missouri, Inc.'s Motion to Reschedule Oral Argument.

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

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

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MWC:ab

Enclosure

cc: Office of Public Counsel
General Counsel's Office
Ms. Stephanie G. Timko
Mr. Leo Bub
Ms. Maryann Purcell
Mr. C. Brent Stewart

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

FILED
JUL 07 2004

Missouri Public
Service Commission

In the Matter of the Agreement between)
SBC Communications, Inc. and Sage)
Telecom, Inc.)

Case No. TO-2004-0576

MOTION TO RESCHEDULE ORAL ARGUMENT

COME NOW AT&T Communications of the Southwest, Inc., (AT&T) and Birch Telecom of Missouri, (Birch) (collectively the "Movants") and respectfully request the Commission to reschedule the oral argument presently scheduled in this matter. In support thereof, AT&T and Birch jointly submit the following:

1. The Commission entered an order on Thursday, July 1, 2004, scheduling an oral argument to address the issues in this case. The Commission has also allowed entities that have sought intervention to participate in the argument. The Commission's decision to hold oral argument is indicative of the complexity of the issues that are presented by this case. Movants strongly believe that their participation in the argument will be beneficial to the Commission's understanding of those issues.

2. In addition to undersigned counsel, Movants have retained Mr. Bill Magness of Casey & Gentz, L.L.P. 98 San Jacinto Blvd., Ste. 1400, Austin, Texas, in connection with this case, and those cases like it that have been filed or created in other jurisdictions in which SBC Communications, Inc. is certificated. Mr. Magness has appeared before this Commission previously¹ and has extensive experience regarding issues involving duties of interconnecting telecommunications companies. Further, Mr. Magness has been involved in a similar proceeding

¹ Mr. Magness is an attorney of record for the Movants in Case No. TO-2004-0207.

before the Texas Commission and its appeal in federal district court; cases in which he has gained knowledge and perspective that will be helpful to the Commission.

3. Mr. Magness is now out of the country. He is not available by telephone and will not be available for an appearance until after July 13, 2004.

4. The undersigned counsel is himself scheduled for annual leave beginning tomorrow, July 7, 2004 and is, therefore, also unavailable. No other attorneys from this office are familiar enough with this proceeding to adequately present Movants' points of argument at this time.

5. Movants submit that the issues justly deserve thorough argument from every perspective and the absence of Mr. Magness from those arguments would be detrimental to their position. In the interests of due process and a fair hearing, Movants pray that the Commission reschedule the arguments until after July 13, 2004.

WHEREFORE, based on the above and foregoing, Movants respectfully request that the Commission reschedule oral argument in this matter until after July 13, 2004.

NEWMAN, COMLEY & RUTH, P.C.

By: 

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ATTORNEYS FOR AT&T
COMMUNICATIONS OF THE SOUTHWEST,
INC. AND BIRCH TELECOM OF MISSOURI,
INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was mailed, postage prepaid, as well as transmitted electronically via electronic mail transmission, this 7th day of July, 2004, to the following:

Office of Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102

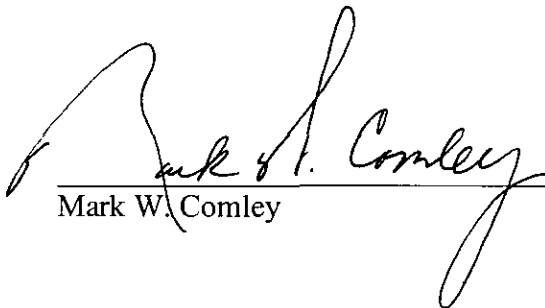
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