

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Nexus Communications, Inc.,	)	
	)	
Complainant,	)	
	)	
v.	)	File No. TC-2011-0132
	)	
Southwestern Bell Telephone, L.P.,	)	
d/b/a AT&T Missouri,	)	
	)	
Respondent.	)	

## ORDER SETTING DEADLINE FOR FILING MOTIONS REGARDING ADR CLAUSE

Issue Date: June 28, 2011

Effective Date: June 28, 2011

The Missouri Public Service Commission is setting a deadline for any party to seek relief based on the interconnection agreement's alternative dispute resolution ("ADR") clause.

The ADR clause is the subject of an affirmative defense raised by Southwestern Bell Telephone Company d/b/a AT&T Missouri ("AT&T").<sup>1</sup> AT&T argues that failure to comply with the ADR clause bars the claims of Nexus Communications, Inc. ("Nexus"). That affirmative defense may be different from AT&T's other affirmative defenses in that, rather than grounds on which the Commission may decide the complaint, the ADR clause may constitute grounds for the Commission to stay this action pending ADR.

Therefore, the Commission will set a deadline for any party to seek any relief based on the ADR clause.

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<sup>1</sup> *Answer and Affirmative Defenses of [AT&T] to the First Amended Complaint of [Nexus]*, page 6, paragraph 3.

**THE COMMISSION ORDERS THAT:**

1. Any relief based on any dispute resolution provision in the interconnection agreement between Southwestern Bell Telephone Company d/b/a AT&T Missouri and Nexus Communications, Inc. shall be waived unless made the subject of a motion.
2. Such motion shall be filed no later than July 15, 2011.
3. This order shall be effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Daniel Jordan, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 28<sup>th</sup> day of June, 2011.