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September 4, 2003

FILED²

SEP 04 2003

Missouri Public
Service Commission

Dale Hardy Roberts
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Case No. TK-2004-0033

Dear Mr. Roberts:

Enclosed for filing on behalf of Brydon, Swearngen & England, P.C., please find an original and eight (8) copies of a Request for Leave to Withdraw As Counsel For EZ Talk Communications, LLC.

Would you please see that this filing is brought to the attention of the appropriate Commission personnel.

I thank you in advance for your cooperation in this matter.

Sincerely yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By: 

Sondra B. Morgan

SBM/lar

Enclosure

cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

SEP 04 2003

Missouri Public
Service Commission

IN THE MATTER OF THE)
APPLICATION OF EZ TALK)
COMMUNICATIONS, LLC FOR APPROVAL)
OF A RESALE AGREEMENT WITH)
SOUTHWESTERN BELL TELEPHONE, L.P.)
d/b/a SBC MISSOURI UNDER THE)
TELECOMMUNICATIONS ACT OF 1996.)

Case No. TK-2004-0033

REQUEST FOR LEAVE TO WITHDRAW AS COUNSEL
FOR EZ TALK COMMUNICATIONS, LLC

Comes now Sondra B. Morgan of the law firm Brydon, Swearingen & England, P.C.
(collectively "Counsel") and, pursuant to 4 CSR 240-2.040(6), files this Request for Leave to
Withdraw as Counsel for EZ Talk Communications, LLC, ("EZ Talk"). In support of her
Request, Counsel states to the Missouri Public Service Commission ("Commission") as
follows:

1. On July 18, 2003, Counsel filed an Application for Approval of an Interconnection
Agreement Under the Telecommunications Act of 1996 on behalf of EZ Talk. This was an
Agreement entered into by EZ Talk and Southwestern Bell Telephone, L.P. d/b/a SBC
Missouri ("SBC"), and referred to as SBC's 13 State Agreement.

2. On July 23, 2003, the Commission issued its Order Directing Notice and Making
Southwestern Bell Telephone, L.P. d/b/a SBC Missouri, a Party. In this Order the
Commission set an intervention deadline for interested parties of August 13, 2003, and
directed Staff to file its recommendation no later than August 25, 2003.

3. On August 6, 2003, the Missouri Independent Telephone Company Group
("MITG") filed an Application to Intervene in Opposition to Agreement and Request for

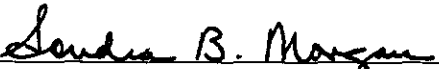
Hearing. The MITG opposed the provisions of the Agreement pertaining to "transit" traffic and asked that these provisions be removed, or in the alternative, that the Agreement be rejected. This intervention raising the issue of transiting traffic creates a conflict of interest for our firm, because our clients also have interests in common with MITG with respect to transiting issues.

4. We explained to EZ Talk that we would be required to withdraw from the case, but we would delay our withdrawal until other suitable counsel had been obtained. A representative of EZ Talk assured us that other counsel has been obtained and would enter an appearance. We have not, to date however, been able to coordinate this filing with an entry of appearance by other counsel.

5. On August 18, 2003, SBC filed a Response to MITG objecting to MITG's intervention, and on August 29, 2003, Staff filed its Recommendation recommending that the Commission approve the Agreement. Although we have continued to forward pleadings and orders to EZ Talk along with reminders that they need to find replacement counsel, EZ Talk is no longer communicating with this firm concerning our need to withdraw. No other firm has entered its appearance on behalf of EZ Talk.

Wherefore, for good cause shown, Sondra B. Morgan and the law firm of Brydon, Swearngen & England, P.C. respectfully request that the Commission grant their Request for Leave to Withdraw as Counsel for all the reasons stated above.

Respectfully submitted:


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ATTORNEYS FOR EZ Talk
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CERTIFICATE OF SERVICE

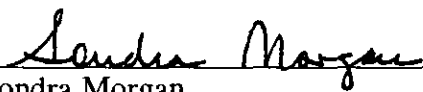
I hereby certify that a true and correct copy of the above and foregoing document was hand-delivered or sent by U.S. Mail, postage prepaid, or hand-delivered on this 3d day of September, 2003 , to the following parties:

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