BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Application of NuVox Communications of Missouri, Inc. for an Investigation into the Wire Centers that AT&T Missouri Asserts are Non-Impaired Under the TRRO.	)))))	Case No. TO-2006-0360

CLEC COALITION MOTION TO STRIKE

COME NOW NuVox Communications of Missouri, Inc. ("NuVox"), XO Communications Services, Inc. ("XO"), and McLeodUSA Telecommunications Services, Inc. ("McLeodUSA") (collectively, "Coalition") and file this Motion To Strike the document filed by AT&T Missouri in this docket on September 24, 2007 entitled "AT&T Missouri's Reply To Staff's And The CLECs' Responses To The Commission's Order Directing Filing."

1. On August 31, 2007, the Commission issued its "Order Directing Filing." The Order Directing Filing directed the parties to respond to specific questions identified in the Order. The parties were ordered to file their responses no later than September 12, 2007.

2. The Order Directing Filing addressed the timing and process for the parties' responsive filings. The Order directed that a single pleading be filed; it did not set forth a schedule for pleadings and responses to those pleadings. Rather, the Order provided: "If the parties file pleadings that are not consistent with one another, the Commission will then require responsive pleadings."

3. On September 12, 2007, responses to the Order Directing Filing were filed by Commission Staff, the CLEC Coalition, and AT&T Missouri.

4. Since September 12, 2007, the Commission has not entered an Order that, as contemplated in the Order Directing Filing, "require[s] responsive pleadings" based on the parties responses to the Order Directing Filing.

5. On September 24, 2007, AT&T Missouri filed its "Reply To Staff's And The CLECs' Responses To The Commission's Order Directing Filing" ("AT&T Reply"). In the AT&T Reply, AT&T purported to rebut factual and legal points made by Commission Staff and the CLEC Coalition in their responses to the Order Directing Filing.

6. The CLEC Coalition read the Commission's Order Directing Filing as a request for a single pleading addressing specific topics. The Order itself notes that the Commission would require responsive pleadings if it wanted further development of the record on the issues identified in the Order Directing Filing. The Commission has required no such responsive round of pleadings, and therefore the CLEC Coalition urges that AT&T Missouri's superfluous Reply be stricken from the record.

7. If the Commission determines not to strike the AT&T Reply, the CLEC Coalition requests leave to file a reply to the allegations made in the AT&T Reply. The CLEC Coalition did not interpret the Order Directing Filing as permitting responsive pleadings; if that is incorrect, the CLEC Coalition requests an opportunity to respond before the Commission issues any orders resolving the contested issues in this proceeding.

8. Since the facts and law underlying AT&T's allegations have already been briefed by AT&T in pre-hearing or post-hearing briefs (as well as in pre-filed testimony), the CLEC Coalition submits that additional rounds of pleadings are not necessary. Therefore, the CLEC Coalition urges that Commission grant its Motion To Strike rather than permit additional rounds of filings by the parties.

WHEREFORE, for the reasons stated, the CLEC Coalition respectfully requests the Commission GRANT its Motion To Strike the document filed by AT&T Missouri in this docket on September 24, 2007 entitled "AT&T Missouri's Reply To Staff's And The CLECs' Responses To

The Commission's Order Directing Filing." In the alternative, the CLEC Coalition requests leave to file a response to the AT&T Reply if this Motion To Strike is not granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the attorneys for all parties on the following list either by U.S. Mail, fax, or email on this 26th day of September, 2007.

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