

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of the Application of Public Wireless, Inc.)
for a Certificate of Service Authority to Provide) **File No. XA-2010-0022**
Interexchange and Non-Switched Local) Tracking No. YX-2010-0024
Telecommunications Services in the State of Missouri)

ORDER EXTENDING TIME FOR ENTRY OF APPEARANCE AND SETTING TIME FOR FILING RECOMMENDATION

Issue Date: August 21, 2009

Effective Date: August 21, 2009

The Missouri Public Service Commission is:

- setting the date for the Commission's staff ("Staff") to file its recommendation,
and
- conditionally granting the motion for leave to appear ("motion") filed by the
external general counsel ("counsel") for Public Wireless, Inc. (Public
Wireless).

The motion constitutes partial compliance with the Commission's August 17, 2009, order,
requiring Public Wireless to appear through an attorney admitted to practice in Missouri.

On August 21, 2009, Counsel filed the motion. The motion partially complies with the
requirements of the controlling rules¹ and regulations² because it:

- Designates two members of the Missouri Bar as associate counsel,³
- Is accompanied by entries of appearance by each associate counsel,⁴

¹ All rules cited are in the 2008 Missouri Supreme Court Rules.

² All regulations cited are the Commission's.

³ Rule 9.03(c); 4 CSR 240 2.040(3)(C)2.

- Includes a receipt for the fee required under Rule 6.01(m).⁵
- Identifies the courts in which counsel is admitted to practice,⁶ and
- States that counsel is not disqualified from appearing in such court,⁷

The motion does not comply with the requirement of “certifying” that neither counsel nor any member of counsel’s firm is barred from appearing in such court.⁸ Therefore, the Commission will grant the motion and permit counsel to appear on Public Wireless’ behalf conditioned on the filing of the required certification no later than August 26, 2009.

Staff shall file its recommendation no later than August 26, 2009.

THE COMMISSION ORDERS THAT:

1. The motion for leave to appear is granted on the condition set forth at paragraph 2.

2. No later than August 26, 2009, movant counsel for Public Wireless, Inc., (“counsel”) shall file a statement certifying that neither counsel nor any member of counsel’s firm is suspended, disqualified, or disbarred from appearing in any court in which counsel is a member of the bar.⁹

3. The Commission’s staff shall file its recommendation no later than August 26, 2009.

⁴ Rule 9.03; 4 CSR 240 2.040(3)(C)3.

⁵ Rule 9.03.

⁶ Rule 9.03 (a); 4 CSR 240 2.040(3)(C)1.

⁷ Rule 9.03 (b); 4 CSR 240 2.040(3)(C)1.

⁸ *Id.*

⁹ *Id.*

4. This order is effective immediately on issuance.

(S E A L)

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the Secretary.

Steven C. Reed
Secretary

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

Dated at Jefferson City, Missouri,
on this 21st day of August 2009.