

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Agreement between)	
SBC Communications, Inc. and Sage)	Case No. TO-2004-0576
Telecom, Inc.)	

XSPEDIUS COMMUNICATIONS' CONCURRENCE IN BRIEFS

COME NOW Xspedius Management Co. Switched Services, LLC, d/b/a Xspedius Communications, and Xspedius Management Co. of Kansas City, LLC, d/b/a Xspedius Communications referred to collectively hereafter as "Xspedius Communications" and concur in the Post Argument Brief of Nuvox Communication of Missouri, Inc. and MCImetro Access Transmission Services, LLC, and in the Summary Brief of AT&T Communications of the Southwest, Inc. and Birch Telecom of Missouri, Inc. Based on those briefs and previous filings in this matter, as well as the oral argument before the Commission, Xspedius Communications requests the Commission take the following actions regarding the Local Wholesale Complete agreement (LWC) between Sage and SBC:

- 1) Grant Staff's requests to open case TO-2004-0576 and grant Xspedius Communications intervention in that case.
- 2) Grant Staff's Motion to Consolidate Cases TO-2004-0576 and TO-2004-0584.
- 3) Reject within the 90-day statutory period the incomplete amendment that has been filed by Sage and SBC in Case No. TO-2004-584, finding it is discriminatory and contrary to the public interest.

4) Determine that Sage and SBC have failed to show cause as ordered in this case on May 11, 2004, and require Sage and SBC to file the LWC and all other agreements between them for consideration under Section 252.

5) Grant such other relief in these matters as may be appropriate.

Respectfully submitted,

/s/ Mary Ann Young

William D. Steinmeier MoBar #25689
Mary Ann (Garr) Young MoBar #27951
WILLIAM D. STEINMEIER, P.C.
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
Phone: 573-659-8672
Fax: 573-636-2305
Email: wds@wdspsc.com
Myoung0654@aol.com
COUNSEL FOR XSPEDIUS
COMMUNICATIONS

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document has been served electronically on the parties of record in this case this 14th day of July 2004, as follows:

Office of the Public Counsel (opcservice@ded.mo.gov and mdandino@ded.mo.gov)
Commission's General Counsel (gencounsel@psc.mo.gov and
nathan.williams@psc.mo.gov
SBC (paul.lane@sbc.com and mp8375@sbc.com)
Sage (stewart499@aol.com and ejbranfman@swidlaw.com)
Nuvox and MCI metro Access (lumley@lawfirmemail.com, ckeith@nuvox.com and
Stephen.morris@mci.com)
AT&T and Birch (comley@ncrpc.com, decook@att.com, and rmulvany@birch.com)

/s/Mary Ann Young
Mary Ann (Garr) Young