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June 29, 2009

VIA ELECTRONIC FILING

Ms. Colleen Dale
Secretary of the Commission
Missouri Public Service Commission
Governor Office Building
P.O. Box 360
Jefferson City, Missouri 65102

Re: In the Matter of Southwestern Bell Telephone Company, d/b/a AT&T Missouri's
Application for Waiver of the General Distribution Requirement of White Page
Directories Under 4 CSR 240-32.050(4)(B); Case No. IE-2009-0357

Dear Ms. Dale:

Enclosed is an electronic copy of Charter Fiberlink-Missouri, LLC's Request for Leave to be
Excused from Attending the On-the-Record Presentation and Public Hearings in connection with the
above-referenced matter. Please file the application in your usual fashion.

If you have any questions or comments, please call the undersigned.

Sincerely,



Kennard B. Woods
Counsel for Charter Fiberlink-Missouri, LLC

KBW/jh

Enc.

cc: Charter Fiberlink-Missouri, LLC
(with enclosure)
Charles A. Hudak, Esq.
(without enclosure)

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

In the Matter of Southwestern Bell Telephone Company, d/b/a AT&T Missouri's Application for Waiver of the General Distribution Requirement of White Page Directories Under 4 CSR 240-32.050(4)(B)	Case No. IE-2009-0357
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Charter Fiberlink-Missouri, LLC's Request for Leave to be Excused from Attending the On-the-Record Presentation and Public Hearings

Charter Fiberlink-Missouri, LLC ("Charter"), pursuant to 4 CSR 240-2.080 and other applicable law, hereby respectfully requests the Missouri Public Service Commission (the "Commission") as follows:

1. On or about April 2, 2009, Southwestern Bell Telephone Company, d/b/a AT&T Missouri, Inc. ("AT&T Missouri") filed an Application for Waiver and Motion for Expedited Treatment. AT&T Missouri seeks waiver of 4 CSR 240-32.050(4)(B), which requires that, "[u]pon issuance, a copy of the applicable directory shall be distributed by the basic local telecommunications company to its customers served by that directory . . ." Specifically, AT&T Missouri requests that the Commission allow it "the option to provide a paper copy of the residential white page telephone directory to households and businesses in its service territory only upon request (and at no charge)." AT&T Missouri also sought expedited treatment, such that the Commission would permanently grant waiver of 4 CSR 240-32.050(4)(B) by August 1, 2009.

2. Charter does not publish its own directories. Instead, the arbitrated interconnection agreement entered into between Charter and AT&T Missouri, and approved by

the Commission in Case No. TK-2006-0047, obligates AT&T Missouri to provide for each of Charter's subscribers in Missouri to:

receive one copy per primary End User listing, as provided by CLEC, of SBC-8STATE's White page directory in the same manner and at the same time that they are delivered to SBC-8STATE's subscribers during the annual delivery of newly published directories.

See Section 2.7 of the Appendix White Pages. Therefore, through the interconnection agreement, Charter's subscribers receive the white page directories of AT&T Missouri and Charter remains in compliance with the Commission's regulations, including 4 CSR 240-32.050(4)(B).

3. On May 1, 2009, the Commission granted Charter's application to intervene in this proceeding. Charter sought intervention so that arrangements could be made for the availability of AT&T Missouri's residential white page directories for Charter's customers under substantially the same conditions as for AT&T Missouri's customers, and so that Charter itself would receive a waiver of 4 CSR 240-32.050(4)(B).

4. On June 16, 2009, the parties, including AT&T Missouri and Charter, entered into a Unanimous Stipulation and Agreement that provides for such arrangements for Charter's customers and for a waiver of 4 CSR 240-32.050(4)(B) for Charter. The Unanimous Stipulation and Agreement also provides that the parties do not oppose granting other competitive local exchange carriers similar relief as granted to Charter in this case, since such other carriers are similarly situated to Charter, in that they do not publish their own directories, but instead arrange, through interconnection agreements or other means, for distribution of AT&T Missouri's directories.

5. The Commission has now scheduled an On-the-Record Presentation and Public Hearings to take place in St. Louis and Kansas City. The purpose of these proceedings is to provide an opportunity for Commission review of and public testimony regarding the process by which AT&T Missouri will make residential white page directories available to end users pursuant to the Unanimous Stipulation and Agreement. Accordingly, the On-the-Record Presentation and Public Hearings are primarily directed to the activities of AT&T Missouri rather than the activities of other entities, such as Charter and other competitive local exchange carriers, which are reliant on the activities of AT&T Missouri regarding residential white page directories.

6. Therefore, Charter requests leave to be excused from attending the On-the-Record Presentation and Public Hearings. Charter further advises that its undersigned counsel of record resides in the Atlanta, Georgia area, and that travel to Missouri for these proceedings (which take place over three days) would be costly. Although Charter is located in Missouri and has in-house counsel, such counsel are not licensed to practice law in Missouri and, for their admittance in this case for the purpose of attending these proceedings, 4 CSR 240-2.040 dictates that the company hire a Missouri attorney "having an office within Missouri," which, therefore, would entail additional expense.

WHEREFORE, for the foregoing reasons Charter respectfully requests that the Commission grant Charter's request to be excused from attending the On-the-Record Presentation and Public Hearings, and for such other and further relief as may be appropriate.

Respectfully submitted this 29th day of June, 2009.

Kennard B Woods

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CERTIFICATE OF SERVICE

I hereby certify that, this 29th day of June, 2009, copies of the foregoing have been mailed, postage prepaid, to each of the persons listed below:

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