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

In the Matter of

CenturyTel of Missouri, LLC's Request for Competitive Classification Pursuant to Section 392.245.5, RsMo (2005)

Case No. IO-2006-0109

## MOTION TO BE EXCUSED FROM PARTICIPATING IN HEARING

Charter Fiberlink-Missouri, LLC ("Charter") pursuant to the Order establishing a procedural schedule in the above captioned proceeding hereby files its Motion To Be Excused from Participating in the Hearing of this matter scheduled for 8:30 A.M. on Tuesday, September 27, 2005. In support of this motion Charter states as follows:

- 1. Charter first became aware of its involvement in this proceeding late last week, some time following the Commission's September 22<sup>nd</sup> issuance of its Order Adding Parties and Directing Responses.
- 2. Because Charter only became aware of its involvement in this proceeding very recently it has not been able to arrange to have counsel appear at the hearing because such counsel have prior commitments which they can not avoid on such short notice.
- 3. Charter is currently preparing a verified pleading in compliance with the Commission's Order directing a response.
- 4. Charter expects to file the verified pleading with the requested information as soon as possible, but no later than Tuesday, September 27, 2005.

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5. Counsel for Applicant and the Commission Staff do not object to this request.

WHEREFORE, Charter requests that it be excused from participating in the hearing on this matter.

Respectfully submitted,

CHARTER FIBERLINK-MISSOURI, LLC

Carrie L. Cox Charter Communications, Inc. 12405 Powerscourt Dr. St. Louis, MO 63131 314-965-0555 (phone) 314-965-6640 (fax) Christopher W. Savage K.C. Halm Cole, Raywid & Braverman, L.L.P. 1919 Penn. Ave., N.W., Suite 200 Washington, D.C. 20006 (202) 659-9750 (phone) (202) 452-0067 (fax)

/s/K.C. Halm\_\_\_\_\_

Karl Zobrist, Mo Bar No. 28325 Sonnenschein Nath & Rosenthal, LLP 4520 Main St., Suite 1100 Kansas City, MO 64111 (314) 241-1800 (phone) (816) 531-7545 (fax)

Its Attorneys

Dated: September 26, 2005