

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Proposed Acquisition of)
AT&T Corporation by SBC Communications, Inc.)

Case No. TM-2005-0355

RESPONSE IN OPPOSITION TO CLOSING CASE

Come now Xspedius Management Co. Switched Services, LLC, and Xspedius Management Co. of Kansas City, LLC, both d/b/a Xspedius Communications, LLC, Birch Telecom of Missouri, Inc., and XO Communications Services, Inc. (successor of Allegiance Telecom of Missouri and XO Missouri, Inc.), hereafter referred to as "CLECs", by and through counsel, and pursuant to 4 CSR 240-2.080, and for their Response in Opposition to Closing Case, state:

1. CLECs are all basic local exchange telecommunications companies certificated by the Missouri Public Service Commission and classified as competitive telecommunications companies. CLECs were recently made aware of the filing of the Comments of the Office of Public Counsel which resulted in establishment of this case, although not provided official notice thereof. While CLECs were exploring their options for expressing an interest in this matter, they learned that the Commission's agenda for Tuesday, April 19, 2005, included an item related to this case described as "Order Closing Case". This response is being filed as soon as possible after issuance of the Commission's Agenda.

2. CLECs request that the Commission keep this case open for inquiry into the SBC/AT&T merger, which we believe is the largest telecommunications merger to occur

in the state's history. CLECs urge the Commission not to forego the opportunity to consider the possible application of its jurisdiction to this transaction. Refraining from scrutinizing a transaction of this magnitude could have immense implications for competition in the telecommunications industry in Missouri. CLEC's move the Commission to provide notice and set an intervention deadline and further proceedings.

WHEREFORE, CLECs hereby oppose the closing of this case and move the Commission to hold the case open, provide notice and an opportunity for intervention and schedule further proceedings to investigate the merger of AT&T and SBC.

Respectfully submitted,

/s/Mary Ann Young

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically served on the General Counsel of the Missouri Public Service Commission, the Office of the Public Counsel, and counsel for AT&T Communications and SBC this 18th day of April 2005.

/s/Mary Ann Young

Mary Ann (Garr) Young