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

In the Matter of the Petition of Charter Fiberlink-Missouri, LLC for Arbitration of an Interconnection Agreement Between CenturyTel of Missouri, LLC And Charter Fiberlink-Missouri, LLC.

Case No. TO-2009-0037

)

)

)

## JOINT MOTION FOR EXTENSION OF TIME TO FILE INTERCONNECTION AGREEMENT

COME NOW Charter Fiberlink-Missouri, LLC ("Charter") and CenturyTel of Missouri, LLC ("CenturyTel") (collectively, the "Parties"), pursuant to Commission Rules 4 CSR 240-2.050(3) and 4 CSR 240-36.050(1), and for their Joint Motion for Extension of Time to File Interconnection Agreement, respectfully state as follows:

1. On February 25, 2009, the Commission issued its <u>Order Adopting Final</u> <u>Arbitrator's Report</u> ("<u>Order</u>") in the above-referenced case, adopting in whole the Final Arbitrator's Report issued on January 6, 2009. The <u>Order</u> directs the Parties to file an interconnection agreement that conforms to said order no later than March 4, 2009.

2. The Parties are in the process of creating a "conforming" Interconnection Agreement that incorporates the Commission's decisions on each of the contested issues, but because of the timing and scope of the project will not be able to complete the work in the limited time available.

3. The Parties expect that they will be able to produce a final agreement and file same with the Commission on or before March 27, 2009 (30 days following entry of the Order), and request the Commission to extend the deadline accordingly.

WHEREFORE, the Parties respectfully request the Commission to extend the deadline for filing the conforming Interconnection Agreement and concurrent statements as set forth in 4 C.S.R. §240-36.050 as requested herein, and for such other orders as are appropriate in the circumstances.

DATED: February 26, 2009

Respectfully submitted,

/s/ Mark W. Comley (by LWD)

Mark W. Comley MBE #28847 Newman, Comley & Ruth P.C. 601 Monroe, Suite 301 P.O. Box 537 Jefferson City, MO 65102-0537 Tel: (573) 634-2266 Fax: (573) 636-3306 and

K.C. Halm John Dodge Brian A. Nixon Davis Wright Tremaine LLP 1919 Pennsylvania Avenue NW, Suite 200 Washington, D.C. 20006 (202) 273-4200 (202) 273-4499 - fax

**Counsel for Charter-Fiberlink Missouri, LLC** 

/s/ Larry W. Dority

Larry W. Dority Fischer & Dority, P.C. 101 Madison, Suite 400 Jefferson City, MO 65101 Tel: 573-636-6758 Ext. 2 Fax: 573-636-0383 Email: lwdority@sprintmail.com

and

Becky Owenson Kilpatrick Mo Bar No. 42042 CenturyTel 220 Madison Street Jefferson City, Missouri 65101 Tel: 573-636-4261 Fax: 573-636-6826 E-Mail: becky.kilpatrick@centurytel.com

and

Thomas J. Moorman, DC Bar No. 384790 WOODS & AITKEN LLP 2154 Wisconsin Avenue, N.W., Suite 200 Washington, D.C. 20007 Tel: (202) 944-9502 Fax: (202) 944-9501 Email: tmoorman@woodsaitken.com

and

Paul M. Schudel, NE Bar No. 13723 James A. Overcash, NE Bar No. 18627 WOODS & AITKEN LLP 301 South 13th Street, Suite 500 Lincoln, Nebraska 68508 Tel. (402) 437-8500 Fax: (402) 437-8558 Email: pschudel@woodsaitken.com Email: jovercash@woodsaitken.com

Counsel for CenturyTel of Missouri, LLC

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Joint Memorandum was served by facsimile, hand-delivery, or electronic mail, on the 26<sup>th</sup> day of February, 2009, on the following:

General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102 Email: gencounsel@psc.mo.gov

Office of the Public Counsel P.O. Box 2230 Jefferson City, MO 65102 Email: <u>opcservice@ded.mo.gov</u>

> /s/ Larry W. Dority Larry W. Dority