BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Southwestern Bell Telephone Company d/b/a AT&T Missouri,)
Complainant,)
V.)) File No. TC-2010-0107
KMC Telecom III, LLC; Level 3 Communications LLC; and Matrix Telecom, Inc.)))
Respondents.)

LEVEL 3 COMMUNICATIONS' UNOPPOSED MOTION

FOR AN EXTENSION OF TIME

COMES NOW Level 3 Communications LLC ("Level 3"), Respondent herein, and pursuant to 4 CSR 240-2.050(3)(A), respectfully moves for an extension of time, through and including January 8, 2010, within which to reply to AT&T Missouri's Response to Level 3 Communications LLC's Motion to Dismiss, which was filed in this matter on December 14, 2009. In support thereof, Level 3 Communications states as follows:

- 1. On November 13, 2009, Level 3 filed a Motion to Dismiss AT&T Missouri's complaint in this case.
- 2. On November 19, 2009, AT&T Missouri filed its unopposed Motion for an Extension of Time within which to respond to Level 3's Motion to Dismiss.
- 3. Also on November 19, 2009, the Commission granted AT&T's motion, extending AT&T's deadline for filing a response from November 23, 2009 until

December 14, 2009, and extending the deadline for the filing of a Staff report from December 1, 2009 until December 22, 2009.

- 4. On December 14, 2009, AT&T Missouri filed its Response to Level 3's Motion to Dismiss.
- 5. Level 3's reply to AT&T Missouri's Response is presently due by not later than December 24, 2009 (pursuant to 4 CSR 240-2.080(15)). However, the Commission is authorized to grant Level 3 an additional period of time within which to file its response (pursuant to 4 CSR 240-2.050(3)(A)).
- 6. Level 3 requests through and including January 8, 2010, within which to file its reply to AT&T's Response. Undersigned counsel has discussed this request with counsel for AT&T Missouri and with Staff counsel, who have agreed to the request, and no prejudice would result to any interested person should the request be granted.
- 7. Level 3 further requests, with the concurrence of AT&T Missouri and the Commission Staff, that Staff be granted an additional period of time within which to file its report in this case, until January 22, 2010.

WHEREFORE, Level 3 Communications LLC respectfully requests that the Commission enter an order granting it through and including January 8, 2010, within which to reply to AT&T Missouri's Response to Level 3's Motion to Dismiss, and granting Staff through and including January 22, 2010, within which to file its report in this case.

Respectfully submitted,

/s/ William D. Steinmeier

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 (573) 659-8672 (Telephone) (573) 636-2305 (Facsimile) wds@wdspc.com myoung0654@aol.com

/s/ Gregory Diamond

Gregory Diamond, IL Bar #6195100
WA Bar #28025; CO Bar #700161
Regulatory Counsel
Level 3 Communications LLC
1025 Eldorado Boulevard
Broomfield CO 80021

Tel.: (720) 888-3148 Fax: (720) 888-5134

E-Mail: Greg.Diamond@level3.com

ATTORNEYS FOR LEVEL 3 COMMUNICATIONS LLC

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been served electronically on Staff Counsel at gencounsel@psc.mo.gov, the Office of Public Counsel at opcservice@ded.mo.gov, and counsel for AT&T Missouri at rg1572@att.com, and on all other parties of record either electronically or by mail, on this 15th day of December 2009.

/s/ William D. Steinmeier