

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

In the Matter of the Application of NuVox)	
Communications of Missouri, Inc. for an)	
Investigation into the Wire Centers that AT&T)	Case No. TO-2006-0360
Missouri Asserts are Non-Impaired Under the)	
TRRO)	

**AT&T MISSOURI'S MEMORANDUM IN OPPOSITION
TO THE CLEC COALITION'S MOTION TO STRIKE**

AT&T Missouri¹ respectfully submits that the CLEC Coalition's September 26, 2007, motion to strike AT&T Missouri's September 24, 2007, reply be denied.

The Commission's August 31, 2007, Order Directing Filing ("Order") presented certain questions to the parties regarding the issues to be decided in this case. It further stated as follows: "If the parties file pleadings that are not consistent with one another, the Commission will then require responsive pleadings." Order, p. 2. AT&T Missouri understood that plainly worded directive as requiring the parties to file responsive pleadings if inconsistent answers to the Commission's questions were filed. The parties' answers to the Commission's questions were inconsistent, a fact which the CLEC Coalition does not deny. Thus, AT&T Missouri properly filed a reply.

The CLEC Coalition claims -- without citation -- that the Order "directed that a single pleading be filed." Motion, p. 1. Yet, the Order is barren of any such language. Were it otherwise, AT&T Missouri would not have filed a reply. The CLEC Coalition also claims -- again without citation -- that the Order "notes that the Commission would require responsive pleadings if it wanted further development on the record on the issues identified." Motion p. 2.


¹ Southwestern Bell Telephone Company d/b/a AT&T Missouri ("AT&T Missouri").

Yet, once again, the Order is barren of any such language. Were it otherwise, AT&T Missouri would not have filed a reply.

Accordingly, the Commission should deny the CLEC Coalition's motion. To the extent that the Commission is inclined to allow the CLEC Coalition to file a late response, the Commission should direct that it be limited to responding to the Staff's and AT&T Missouri's responses filed September 12, and the Commission should further allow Staff and AT&T Missouri the opportunity to respond to the CLEC Coalition's filing.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY,
D/B/A AT&T MISSOURI

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CERTIFICATE OF SERVICE

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