

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

Staff of the Public Service Commission)	
Of the State of Missouri,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2005-0357
)	
Cass County Telephone Company)	
Limited Partnership)	
)	
Respondent.)	

MOTION FOR CONTINUANCE

COMES NOW Respondent Cass County Telephone Company Limited Partnership ("CassTel"), pursuant to Commission Rule 4 CSR 240-2.117(1)(D) and requests that the Commission continue Staff's pending Motion for Summary Disposition (the "Motion") for a reasonable time to allow CassTel to conduct discovery as is necessary to permit a response. In support thereof, CassTel states as follows:

1. On or about August 30, 2005, Staff filed its Motion in the captioned case in conjunction with a Legal Memorandum in Support of Staff's Motion for Summary Disposition. The Motion was filed in accordance with Commission Rule 4 CSR 240-2.117, which provides, among other things, that the responding party has "not more than thirty (30) days after the Motion for Summary Determination is served" to file and serve on all parties a response thereto. See, 4 CSR 240-2.117(1)(C).

2. Subsection (1)(D) of 4 CSR 240-2.117 provides as follows:

For good cause shown, the commission may continue the motion for summary determination for a reasonable time to allow an opposing party to conduct such discovery as is necessary to permit a response to the motion for summary determination.

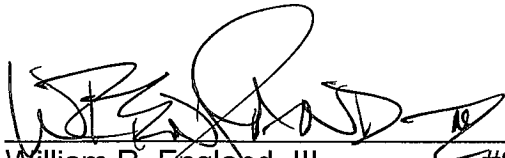
3. Respondent CassTel requests October 21, 2005 to file its response to Staff's Motion, the scheduled date for completion of discovery. Formal discovery in this case has just commenced in earnest by both parties. As recently as Friday, September 9, 2005, CassTel received Staff's First Set of Data Requests to Respondent. Similarly, CassTel sent to Staff on Monday, September 12, 2005 its first set of data requests to Complainant (Staff). At the same time, counsel for Staff and CassTel are currently in discussions about scheduling depositions of witnesses and/or potential witnesses to this proceeding.

4. With respect to Staff's Motion, CassTel is of the view that there are genuine issues as to material fact and, additionally, Staff is not entitled to relief as a matter of law. CassTel does not believe, however, that it will have all of the information that is needed to fully present its response until a reasonable time after its discovery has been completed.

WHEREFORE, for good cause shown, CassTel requests that the Commission continue the Motion for Summary Determination until October 21, 2005 to allow CassTel to conduct such discovery as is necessary to permit a meaningful response.

Respectfully Submitted,
BRYDON, SWEARENGEN & ENGLAND, PC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail, first class mail or by hand delivery, on this 16th day of September, 2005 to the following:

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