

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

In the Matter of Level 3 Communications,)	
LLC's Tariff Filing to Introduce Revised)	Case No. _____
Tariff Pages For Its Access Services Tariff,)	Tariff No. JX-2011-0488
Mo. P.S.C. Tariff No. 4.)	

MOTION TO REJECT TARIFF

AT&T Communications and AT&T Missouri (collectively, the "AT&T Companies"),¹ respectfully request² the Commission to reject the revised tariff pages filed by Level 3 Communications, LLC ("Level 3") for failure to comply with the Commission's tariff filing rules contained in 4 CSR 240-3.550(18).

In support of this filing, the AT&T Companies state:

1. AT&T Communications is a Delaware corporation, duly authorized to conduct business in Missouri with its principal Missouri office located at 2121 East 63rd Street, Kansas City, Missouri 64130. AT&T Communications is an "interexchange telecommunications company," an "alternative local exchange telecommunications company," and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases is defined in Section 386.020 RSMo (2006 C. Supp.).

2. AT&T Missouri is a Missouri corporation duly authorized to conduct business in Missouri with its principal Missouri office located at One AT&T Center, 35th Floor, St. Louis, Missouri 63101. AT&T Missouri is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases is defined in Section 386.020 RSMo (2006 C. Supp.).

¹ AT&T Communications of the Southwest, Inc. will be referred to in this pleading as "AT&T Communications;" and Southwestern Bell Telephone Company, d/b/a AT&T Missouri, will be referred to in this pleading as "AT&T Missouri."

² The AT&T Companies make this filing pursuant to 4 CSR 240-2.065(3) and 4 CSR 240.2-075(2).

3. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Jeffrey E. Lewis
Leo J. Bub
Robert J. Gryzmala
Attorneys for AT&T Communications of the Southwest, Inc.; and
Southwestern Bell Telephone Company, d/b/a AT&T Missouri
One AT&T Center, Room 3518
St. Louis, Missouri 63101

4. On March 29, 2011, Level 3 filed revised tariff sheets for its Switched Access Services Tariff, Missouri P.S.C. Tariff No. 4.³ Level 3's filing indicates that the revised tariff sheets are being filed to add "Third Party Tandem Connect" service to its tariff. The filing also appears to make changes to tariff definitions and other non-rate related terms and conditions. The proposed tariff pages display a March 30, 2011, issued date and a March 31, 2011, effective date.

5. The new service Level 3 proposes to add to its tariff appears to represent a substantial change to the traditional method of providing tandem switching services. AT&T Companies have not had sufficient time to fully review and analyze Level 3's filing. Given the nature of the filing, the Commission should expect that its Staff, the AT&T Companies, or other carriers may have issues with the new service and Level 3's other proposed tariff revisions.

6. Under Commission tariff filing rules, tariffs seeking to introduce a new service or to revise non price terms and conditions of an existing tariff require a 30-day tariff filing. Shortened tariff intervals are available only for tariffs seeking to increase or decrease prices; introduce a new package of services; change an existing package of services; or eliminate an existing package of services.⁴ Pursuant to 4 CSR 240-3.550(18), all other tariff filings must be made on 30 days' notice: "except as otherwise provided in this rule, no tariff will be accepted for

³ A copy of Level 3's proposed tariff filing is appended as Attachment 1.

⁴ See 4 CSR 240-3.550(16)(A)-(E).

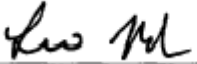
filing unless it allows the full thirty (30) days required by law from date of receipt until effective date."

7. Level 3's proposed tariff filing seeks to introduce a new service and change other non price terms and conditions of its existing access service tariff. Pursuant to Commission rules, the revision Level 3 seeks to make to its tariff can only be made on 30 days' notice. Because the filing was made on one days' notice, the Commission must reject it.

WHEREFORE the AT&T Companies respectfully request the Commission to reject Level 3's proposed tariff filing.

Respectfully submitted,

AT&T COMMUNICATIONS SOUTHWEST, INC.; AND
SOUTHWESTERN BELL TELEPHONE COMPANY,
D/B/A AT&T MISSOURI

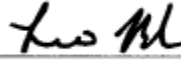
BY 

JEFFREY E. LEWIS #62389
LEO J. BUB #34326
ROBERT J. GRYZMALA #32454

Attorneys for the AT&T Companies
One AT&T Center, Room 3518
St. Louis, Missouri 63101
314-235-2508 (Telephone)/314-247-0014(Facsimile)
leo.bub@att.com

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on April 1, 2011.



Leo J. Bub

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

Public Counsel
Office of the Public Counsel
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov