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November 14, 2002

Secretary Missouri Public Service Commission P. O. Box 360 Jefferson City, Missouri 65102

**FILED**<sup>3</sup>

NOV 1 4 2002

Case No. TT-2003-0043 Re:

Tariff No. 200300034

Missouri Public Service Commission

Dear Mr. Roberts:

DAVID V.G. BRYDON

GARY W. DUFFY

PAUL A. BOUDREAU SONDRA B. MORGAN CHARLES E. SMARR

JAMES C. SWEARENGEN

WILLIAM R. ENGLAND, III

JOHNNY K. RICHARDSON

Enclosed for filing on behalf of Spectra Communications Group, LLC d/b/a CenturyTel, please find an original and eight copies of a Motion to Extend Procedural Schedule.

Please see that this filing is brought to the attention of the appropriate Commission personnel. If there are any questions regarding this filing, please give me a call. I thank you in advance for your attention to and cooperation in this matter.

Sincerely,

Sondra B. Morgan

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SBM/da **Enclosures** 

Parties of Record cc:

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI



Service Commission

In the Matter of the Tariff of Spectra	)	
Communications Group, LLC, PSC Mo.	)	Case No. TT-2003-0043
No. 2, Facilities for Intrastate Access.	)	Tariff No. 200300034

### MOTION TO EXTEND PROCEDURAL SCHEDULE

Comes now Spectra Communications Group, LLC d/b/a CenturyTel ("Spectra") and for its Motion to Extend Procedural Schedule states to the Missouri Public Service Commission ("Commission") as follows:

- 1. On October 8, 2002, the Commission issued an Order Adopting Procedural Schedule in this proceeding in which it adopted an expedited procedural schedule with a hearing scheduled for November 21 and 22.
- According to this Procedural Schedule, Surrebuttal testimony was due on November
  2. According to this Procedural Schedule, Surrebuttal testimony was due on November
  2. 2002. Spectra, the Staff of the Missouri Public Service Commission ("Staff") and AT&T
  Communications of the Southwest, Inc. ("AT&T") filed Surrebuttal testimony.
- 3. In its Surrebuttal testimony, Staff modified its previous recommendation to approve the tariff filing contained in its Rebuttal testimony and now recommends that the Commission reject the tariff. Staff bases its change in recommendation on the fact that the Federal Communications Commission ("FCC") is currently considering a similar deposit requirement involving credit-impaired customers, and Staff believes the Commission should delay its decision in this case until the FCC acts. Staff also states that it now believes that Spectra should be required to present additional evidence to justify its proposed tariff.

- 4. Since the Staff has changed its recommendation, Spectra believes it should be given an opportunity to respond to this new recommendation. Therefore, Spectra requests that the procedural schedule be extended and that Spectra be granted an additional thirty (30) days to respond to the Surrebuttal testimony. Spectra also requests that the hearing scheduled for November 21 and 22 be canceled, and that the parties be given the opportunity to suggest a new hearing date after the filing of additional Surrebuttal testimony. Mr. Van Eschen states he anticipates that the FCC decision could come "as early as next month." If there is a decision by the FCC within the thirty (30) days, all parties should be given the opportunity to file additional testimony as recommended by Mr. Van Eschen in his Surrebuttal Testimony and a new procedural schedule be established accordingly. Spectra understands that it may be necessary to further extend the effective date of the tariff in order to allow for the new procedural schedule.
- 5. Counsel for all parties to this proceeding have been contacted and do not oppose this request to extend the procedural schedule.

Wherefore, Spectra respectfully requests that the Commission grant its Motion to Extend Procedural Schedule and grant Spectra thirty (30) days to file a response to Staff's Surrebuttal Testimony, or in the alternative, if the FCC issues its decision in WC Docket No. 02-319, *In the Matter of Southwestern Bell Telephone Company*, FCC Tariff No. 73, Transmittal No. 2906, within that thirty (30) days, to establish a new procedural schedule that allows all parties to refile testimony. Spectra also requests that the Commission cancel the hearing scheduled for November 21 and 22 and for any other relief appropriate in the circumstances.

<sup>&</sup>lt;sup>1</sup>Surrebuttal Testimony of John Van Eschen, p.2, lines 20-21.

Respectfully submitted,

W.R. England, III

#23975

Sondra B. Morgan

#35482

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered on this day of November, 2002, to the following parties:

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