

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

Nexus Communications, Inc.,)	
)	
Complainant,)	
)	
v.)	<u>File No. TC-2011-0132</u>
)	
Southwestern Bell Telephone, L.P.,)	
d/b/a AT&T Missouri)	
)	
Respondent.)	

STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and files this *Status Report* with the Missouri Public Service Commission (“Commission”), and states:

1. On November 2, 2012, the Commission ordered Staff to file a report regarding the status of Southwestern Bell d/b/a AT&T Missouri (“AT&T”) and Nexus Communications, Inc.’s (“Nexus”) dispute resolution.

2. This filing is intended to comply with that *Order*.

3. Staff understands that the parties have continued to engage in discussions about their differences. In addition to the disputes in Missouri, the parties are currently engaged in extensive, high-level, and broad-ranging settlement negotiations regarding disputes across all states wherein both parties conduct business. To that end, the parties have exchanged voluminous informal discovery, continue frequent communication, and have agreed in principle to the terms of the settlement.

4. Most recently, on January 4, 2013, the parties exchanged communications indicating that AT&T is currently reconciling the relevant accounts and disputed financial

amounts. AT&T indicated it would again communicate with Nexus, possibly as soon as the latter portion of this week (January 7-11, 2013).

5. In addition to the aforementioned tentative resolution regarding the parties' disputes, the parties will advise the Commission of any final resolution regarding same. The parties do not yet have a specific timetable established as to when the final resolution of these issues will be complete; however, the parties have every expectation of reaching a final settlement agreement very soon.

6. Because the settlement negotiations are at a high-level and incorporate records, information, and proceedings across many jurisdictions,¹ including this case and Nexus' appeal of a recent order issued in Texas,² the parties are working in good faith to resolve such issues which will then have a direct effect on the specific issues now before the Commission.

¹ E.g., *Nexus Communications, Inc., v. BellSouth Telecommunications, Inc., d/b/a AT&T Alabama or AT&T Southeast*, Docket No. 31516 before the Alabama Public Service Commission; *In re: Complaint and petition for relief by Nexus Communications, Inc. against BellSouth Telecommunications, Inc. d/b/a AT&T Florida for dispute over interpretation of interconnection agreement regarding cash back promotions*, Docket No. 100434-TP before the Florida Public Service Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Georgia; Dispute Over Interpretation of Parties' Interconnection Agreement Regarding AT&T's Failure to Extend Full Value of Cash Back Promotions to Nexus*, Docket No. 32945U before the Georgia Public Service Commission; *Nexus Communications, Inc. v. Indiana Bell Telephone Company Incorporated d/b/a AT&T Indiana*, Cause No. 43988 before the Indiana Utility Regulatory Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky*, Case No. 2010-00444 before the Kentucky Public Service Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Louisiana*, Docket No. U-31749 before the Louisiana Public Service Commission; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Mississippi*, Docket No. 2010-AD-385 before the Mississippi Public Service Commission; *Nexus Communications, Inc. v. The Ohio Bell Telephone Company d/b/a AT&T Ohio*, Case No. 10-2518-TP-CSS before the Public Utilities Commission of Ohio; *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina*, Docket No. 2010-377-C before the Public Service Commission of South Carolina; and *Nexus Communications, Inc. v. BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee*, Docket No. 10-00212 before the Tennessee Regulatory Authority.

² See, *Nexus Communications, Inc. v. Nelson, et al.*, Case No. 1:12-CV-0555-SS before the United States District Court, Western District of Texas – Austin Division.

7. Therefore, the parties respectfully request an additional period of time, through March 31, 2013, in which to continue open lines of communication and settlement negotiations in pursuit of a final resolution.

8. Given this status, Staff requests leave to file a further status report no later than April 1, 2013.

WHEREFORE, the Staff submits this *Status Report* for the Commission's information and requests leave to file a further status report no later than April 1, 2013.

Respectfully submitted,

/s/ Meghan E. McClowry

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 11th day of January, 2013.

/s/ Meghan E. McClowry