

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

Big River Telephone Company, LLC,)	
)	
Complainant,)	
)	
v.)	<u>Case No. TC-2012-0284</u>
)	
Southwestern Bell Telephone, L.P.,)	
d/b/a AT&T Missouri,)	
)	
Respondent.)	

**ORDER GIVING NOTICE OF CONTESTED CASE
AND DIRECTING ANSWER**

Issue Date: March 2, 2012

Effective Date: March 2, 2012

On March 1, 2012, Big River Telephone Company, LLC (“Complainant”) filed a complaint with the Missouri Public Service Commission (“Commission”) against Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri (“Respondent”). A copy of the complaint accompanies this notice. This is a contested case¹ pursuant to Section 386.390, RSMo 2000, although the statutes and Commission regulations allow for a decision without a hearing.²

The Commission will set a deadline for the Respondent to file an answer. In the alternative, the Respondent may file a written request that the complaint be referred to a neutral third-party mediator for voluntary mediation of the complaint. Upon receipt of a request for mediation, the 30-day time period shall be tolled while the Commission

¹ A “[c]ontested case’ means a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing.” Section 536.010.4, RSMo Supp. 2009.

² Sections 536.060 and 536.063, RSMo 2000; Commission Rule 4 CSR 240-2.115.

ascertains whether or not the Complainant is also willing to submit to voluntary mediation. If Complainant agrees to mediation, the time period within which an answer is due shall be suspended pending the resolution of the mediation process. Additional information regarding the mediation process is enclosed. If Complainant declines the opportunity to seek mediation, Respondent will be notified in writing that the tolling has ceased and will also be notified of the date by which an answer or notice of satisfaction must be filed. That period will usually be the remainder of the original 30-day period.

As required by Section 536.067(2)(f), RSMo 2000, the Commission informs the parties that the Commission's provisions governing procedures before the Commission, including provisions relating to discovery, are found at Commission Rule 4 CSR 240-2.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send, by certified mail, a copy of this notice and order and a copy of the complaint to Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri.

2. Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri shall file an answer to this complaint, notice of satisfaction of the complaint, or request for mediation no later than April 2, 2012, and serve a copy upon the Complainant at the address listed within the enclosed complaint. All pleadings (the answer, the notice of satisfaction of complaint or request for mediation) shall be mailed to:

Secretary of the Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102-0360

or by using the Commission's electronic filing and information service.

3. The Commission's Data Center shall send a copy of this notice to the Complainant.

4. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is written over a faint, circular embossed seal.

Steven C. Reed
Secretary

(S E A L)

Michael Bushmann, Regulatory Law Judge
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of March, 2012.