BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public)
Service Commission,)
)
Complainant,)
)
V.)
)
FamilyTel of Missouri, LLC,)
)
Respondent.)

Case No. TC-2009-0407

STAFF'S RESPONSE TO RESPONDENT'S REQUEST FOR MEDIATION

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), through the undersigned counsel, and hereby respectfully states the following to the Missouri Public Service Commission ("Commission"):

1. On May 12, 2009, Staff filed its *Complaint* against FamilyTel of Missouri, LLC

("Respondent" or "Company"), which alleged the Company failed to file a calendar year 2007

Annual Report, and pay its fiscal year 2008 and 2009 assessments.

2. On June 26, 2009, the Respondent requested mediation of the *Complaint*. Staff is

willing to mediate the Complaint using the procedure set forth in 4 CSR 240-2.125.

3. As of this filing, Staff's conflict dates are July 14-28, 2009, and August 6, 2009.

WHEREFORE, the Staff requests this matter be set for mediation pursuant to 4 CSR 240-2.125.

Respectfully submitted,

<u>/s/ Jennifer Hernandez</u>

Jennifer Hernandez Legal Counsel Missouri Bar No. 59814

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail on Mark W. Comley, of Newman, Comley & Ruth, attorneys for FamilyTel of Missouri, LLC, at <u>comleym@ncrpc.com</u>, and The Office of Public Counsel of the State of Missouri at <u>opcservice@ded.mo.gov</u>, this 8th day of July, 2009.

<u>/s/ Jennifer Hernandez</u>