

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

Southwestern Bell Telephone Company,
d/b/a AT&T Missouri,

Complainant,

v.

Big River Telephone Company, LLC; Davidson
Telecom, LLC; KMC Data, L.L.C.; KMC Telecom III, LLC;
Level 3 Communications LLC; Matrix Telecom, Inc.;
MCImetro Access Transmission Services LLC;
McLeodUSA Telecommunications Services, Inc.;
Nexus Communications, Inc.; PAC-West Telecomm,
Inc.; Qwest Communications Corporation; TruComm
Corporation; and tw telecom of kansas city llc,

Respondents.

File No. TC-2010-0107

**NOTICE OF COMPLAINT AND
ORDER DIRECTING STAFF INVESTIGATION**

Issue Date: October 5, 2009

Effective Date: October 5, 2009

Big River Telephone Company, LLC
24 South Minnesota
P.O. Box 1608
Cape Girardeau, MO 63702-1608
CERTIFIED MAIL

Davidson Telecom, LLC
P.O. Box 2342
Davidson, NC 28036
CERTIFIED MAIL

KMC Data, L.L.C.
3200 W. Pleasant Run Road, Suite 260
Lancaster, TX 75146
CERTIFIED MAIL

KMC Telecom III, Inc.
1755 N. Brown Road
Lawrenceville, GA 30043
CERTIFIED MAIL

Level 3 Communications, LLC
712 N. Main St.
Coudersport, PA 16915
CERTIFIED MAIL

Matrix Telecom, Inc.
7171 Forest Lane, Suite 700
Dallas, TX 75230
CERTIFIED MAIL

MCImetro Access Transmission
Services, LLC
One Verizon Way
Basking Ridge, NJ 07920
CERTIFIED MAIL

McLeodUSA Telecommunications
Services, Inc.
1 Marthas Way
P.O. Box 3177
Hiawatha, IA 52233
CERTIFIED MAIL

Nexus Communications, Inc.
3629 Cleveland Ave., Suite C
Columbus, OH 43224
CERTIFIED MAIL

Pac-West Telecomm, Inc.
4210 Coronado Ave.
Stockton, CA 95204
CERTIFIED MAIL

Qwest Communications Company, LLC
1801 California St., Suite 650
Denver, CO 80202
CERTIFIED MAIL

TruComm Corporation
1608 Barclay Boulevard
Buffalo Grove, IL 60089-4523
CERTIFIED MAIL

tw telecom of kansas city llc
10475 Park Meadows Dr., Suite 400
Littleton, CO 80124
CERTIFIED MAIL

On October 2, 2009, Southwestern Bell Telephone Company, L.P., d/b/a AT&T Missouri, filed a complaint with the Missouri Public Service Commission against thirteen telecommunications companies as listed in the case caption. A copy of the complaint is enclosed.

Pursuant to 4 CSR 240-2.070, the Respondents shall have 30 days from the date of this notice to file an answer or to file notice that the complaint has been satisfied.

In the alternative, the Respondents 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 ascertains whether or not the Complainant is willing to submit to voluntary mediation. If the 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 the Complainant declines the opportunity to seek mediation, the Respondents 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.

All pleadings (the answer, the notice of satisfaction of complaint or request for mediation) shall be mailed to:

Secretary of the Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102-0360

or filed electronically with the Commission's Electronic Filing and Information System (EFIS). A copy shall be served upon the Complainant at the Complainant's address as listed in the enclosed complaint. A copy of this notice has been mailed to the Complainant.

Under Commission rule 4 CSR 240-2.070(10), after a formal complaint has been filed the Commission may request an analysis by its Staff for the reasons underlying the complaint. The Staff must then file its findings with the Commission and serve copies on the other parties.

The Commission views its Staff as an unbiased third party in this complaint case and will direct the Staff to investigate the contested issues set out in the pleadings and to file a report of its findings with the Commission. Staff also has the discretion to report its findings as to any other contested issue in this case, which issue may appear during its investigation.

The Commission's rules of discovery are set forth at 4 CSR 240-2.090.

THE COMMISSION ORDERS THAT:

1. Big River Telephone Company shall file a response to this complaint no later than November 4, 2009.
2. Davidson Telecom, LLC, shall file a response to this complaint no later than November 4, 2009.
3. KMC Data, L.L.C., shall file a response to this complaint no later than November 4, 2009.
4. KMC Telecom III, LLC, shall file a response to this complaint no later than November 4, 2009.
5. Level 3 Communications, LLC, shall file a response to this complaint no later than November 4, 2009.
6. Matrix Telecom, Inc., shall file a response to this complaint no later than November 4, 2009.
7. MCImetro Access Transmission Services, LLC, shall file a response to this complaint no later than November 4, 2009.
8. McLeodUSA Telecommunications Services, Inc., shall file a response to this complaint no later than November 4, 2009.
9. Nexus Communications, Inc., shall file a response to this complaint no later than November 4, 2009.
10. Pac-West Telecomm, Inc., shall file a response to this complaint no later than November 4, 2009.
11. Qwest Communications Corporation shall file a response to this complaint no later than November 4, 2009.

12. Trucomm Corporation shall file a response to this complaint no later than November 4, 2009.

13. tw telecom of kansas city llc shall file a response to this complaint no later than November 4, 2009.

14. The Staff of the Commission shall file a report of its investigation in this matter no later than November 24, 2009.

15. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of October, 2009.