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September 4, 2003

FILED³

SEP 04 2003

Missouri Public
Service Commission

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: Birch Telecom of Missouri, Inc., AT&T Communications of the Southwest, Inc., TCG
Kansas City, Inc. and TCG St. Louis, Inc. v. Southwestern Bell Telephone, L.P. d/b/a SBC
Missouri
Case No. TC-2003-0547

Dear Judge Roberts:

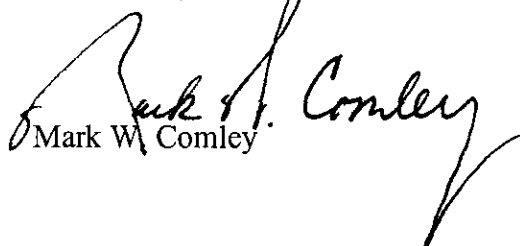
Enclosed please find for filing in the referenced matter an original and five copies of
Complainants' Motion for a Second Extension of Time Within Which to File Response to Motion
to Dismiss.

Please contact me if you have any questions regarding this filing. Thank you.

Sincerely,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley

MWC:ab

Enclosure

cc: Office of Public Counsel
General Counsel's Office
Anthony K. Conroy
Rose M. Mulvany
Katherine K. Mudge
Rebecca B. DeCook

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

BIRCH TELECOM OF)
MISSOURI, INC., AT&T)
COMMUNICATIONS)
OF THE SOUTHWEST, INC.,)
TCG KANSAS CITY, INC. AND)
TCG ST. LOUIS, INC.)
v.)
SOUTHWESTERN BELL)
TELEPHONE, L.P. D/B/A)
SBC MISSOURI)

Case No. TC-2003-0547

FILED³

SEP 04 2003

Missouri Public
Service Commission

COMPLAINANTS' MOTION
FOR A SECOND EXTENSION OF TIME WITHIN WHICH TO FILE
RESPONSE TO MOTION TO DISMISS

Come now AT&T Communications of the Southwest, Inc., Birch Telecom of Missouri, Inc. TCG Kansas City, Inc. and TCG St. Louis, Inc. (hereinafter collectively "Complainants"), by and through their attorneys, Newman, Comley & Ruth P.C., and pursuant to 4 CSR 240-2.050(3) submit the following to the Commission:

1. On August 18, 2003 Southwestern Bell Telephone, L.P., d/b/a SBC Missouri ("SBC") filed its motion to dismiss in the referenced matter. On August 26, 2003, Complainants filed for an extension of time to file a response to SBC's motion, and on August 28, 2003 the Commission granted that request by extending the time to file to September 4, 2003.

2. The author of Complainants' response to SBC's Motion to Dismiss is Katherine K. Mudge, who, over the holiday weekend, fell ill unexpectedly. Although her condition is improving, her physicians have prescribed a series of medical tests and procedures over the next several days, all of which will interfere with her efforts to finalize the response for filing. In view of Ms. Mudge's

schedule, complainants seek a second extension of time within which to file a response to the motion to dismiss. Complainants desire an extension up to and including September 10, 2003, which is the day before the scheduled pre hearing conference in this matter.

3. Counsel for SBC was contacted once more about an extension and has no objection to a preemptory extension to September 10, 2003.

WHEREFORE, Complainants respectfully request that the Commission extend the time for filing a response to the motion to dismiss up to and including September 10, 2003.

Respectfully submitted,

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By:

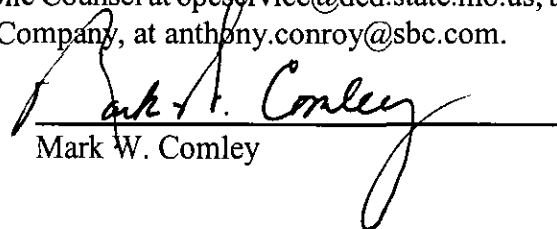


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MISSOURI, INC. TCG KANSAS CITY, INC. AND TCG
ST. LOUIS, INC.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 4th day of September, 2003, to General Counsel's Office at gencounsel@psc.state.mo.us; Office of Public Counsel at opcservice@ded.state.mo.us; and Anthony K. Conroy, Southwestern Bell Telephone Company, at anthony.conroy@sbc.com.



Mark W. Comley