BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Level 3 Communications, LLC's)	File No. TT-2011-0324
Tariff Filing to Introduce Revised Tariff Pages)	
For Its Access Services Tariff, Mo. P.S.C. Tariff No. 4.)	Tracking No. JX-2011-0488

ORDER GRANTING AGREED EXTENSION OF SUSPENSION

Issue Date: July 13, 2011 Effective Date: July 13, 2011

The Commission is extending the tariff's suspension as the parties agreed.

The history of the tariff's effective date is as follows. On March 29.1 Level 3 Communications, LLC ("Level 3") filed tariff sheets ("tariff") bearing a purported effective date of March 31. On April 5, Level 3 extended the effective date to April 29. On April 27, on certain parties' motions,² the Commission suspended the tariff until June 28. On June 22, on the parties' agreement, the Commission extended the suspension to July 28. On July 13, the parties filed another agreed motion to extend the suspension for a further 30 days.4 The July 13 filing ("motion") is the subject of this order.

In the motion, Level 3 states that the parties are continuing their discussion of the tariff's merits, and asks the Commission to delay tariff's effective date. The tariff's effective date must appear on each tariff sheet that Level 3 files,⁵ and Level 3 may

² Filed on April 20 by Staff; AT&T Communications of the Southwest, Inc.; and Southwestern Bell Telephone Company, d/b/a AT&T Missouri.

All dates are in 2011.

³ Motion for Extension of Tariff Effective Date and Continuance of Procedural Deadlines, filed on June 21, 2011.

⁴ Motion for Extension of Tariff Effective Date and for Prehearing Conference, filed by Level 3. The Commission is scheduling the pre-hearing conference by separate order. ⁵ 4 CSR 240-3.545(16).

ordinarily extend that date by simply filing a letter, ⁶ as on April 5. But the tariff is now under suspension.

Suspension occurs pending:

... a hearing concerning the propriety of such [tariff] and the decision thereon . . . [']

and lasts:

. . . not for a longer period than sixty days beyond the time when such [tariff] would otherwise go into effect [.8]

The sixtieth day after the April 29 effective date was June 28.

[H]owever, if any such hearing cannot be concluded within the period of suspension, as above stated, the commission may, in its discretion, extend the time of suspension for a further period not exceeding ninety days. [.9]

The Commission has not concluded the hearing within the period of suspension ordered on April 27. The ninetieth day after June 28 will be September 27.

But Level 3 seeks an extension only until August 28, and represents that no party objects to the motion, so the Commission will grant that extension.

THE COMMISSION ORDERS THAT:

- 1. The Motion for Extension of Tariff Effective Date and for Prehearing Conference is granted.
- 2. The suspension of the tariff sheets assigned tracking no. JX-2011-0488 is extended until August 28, 2011. The specific tariff sheets for which the Commission is extending the suspension are:

⁶ 4 CSR 240-2.065(5).

⁷ Section 392.230.3, RSMo Supp. 2010. ⁸ Section 392.230.3, RSMo Supp. 2010.

Missouri P.S.C. Tariff No. 4

3rd Revised Page 6, replacing 2nd Revised Page 6 2nd Revised Page 8, replacing 1st Revised Page 8 2nd Revised Page 9, replacing 1st Revised Page 9 2nd Revised Page 20, replacing 1st Revised Page 20 2nd Revised Page 21, replacing 1st Revised Page 21

> Original Page 21.1 Original Page 21.2 Original Page 21.3 Original Page 21.4

2nd Revised Page 22, replacing 1st Revised Page 22
2nd Revised Page 27, replacing 1st Revised Page 27
2nd Revised Page 28, replacing 1st Revised Page 28
2nd Revised Page 30, replacing 1st Revised Page 30
2nd Revised Page 35, replacing 1st Revised Page 35
2nd Revised Page 36, replacing 1st Revised Page 36
2nd Revised Page 38, replacing 1st Revised Page 38
2nd Revised Page 39, replacing 1st Revised Page 39
2nd Revised Page 40, replacing 1st Revised Page 40
2nd Revised Page 44, replacing 1st Revised Page 44
2nd Revised Page 46, replacing 1st Revised Page 46
3rd Revised Page 48, replacing 2nd Revised Page 48

Original Page 50.1 Original Page 50.2 Original Page 50.3

2nd Revised Page 49, replacing 1st Revised Page 49 3rd Revised Page 50, replacing 2nd Revised Page 50

3rd Revised Page 51, replacing 2nd Revised Page 51 3rd Revised Page 52, replacing 2nd Revised Page 52 2nd Revised Page 53, replacing 1st Revised Page 53 3rd Revised Page 55, replacing 2nd Revised Page 55 2nd Revised Page 56, replacing 1st Revised Page 56 5th Revised Page 58, replacing 4th Revised Page 58 5th Revised Page 59, replacing 4th Revised Page 59

> Original Page 59.1 Original Page 59.2 Original Page 59.3

3. This order shall be effective immediately upon issuance.

BY THE COMMISSION

(SEAL)

Steven C. Reed Secretary

Daniel Jordan, Senior Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 13th day of July, 2011.