

# 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

## NOTICE OF CONTESTED CASE

Issue Date: April 28, 2011

On this date, the Commission suspended the tariff, which may occur only pending a “full” hearing and decision on the tariff’s propriety.<sup>1</sup> The provision for a full pre-decision hearing signifies that this action is now a “contested case.”<sup>2</sup> A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities<sup>3</sup> and a decision without a hearing,<sup>4</sup> including by stipulation and agreement.<sup>5</sup> This order and notice does not require any party to file an answer. Because the “hearing involv[es] a rate sought to be increased, the burden of proof to show that the . . . proposed increased rate is just and reasonable shall be upon the [company] seeking the increase [.6]” The Commission’s discovery regulations are at Commission regulation 4 CSR 240-2.090.

**BY THE COMMISSION**



**Steven C. Reed**  
**Secretary**

( S E A L )

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<sup>1</sup> Section 393.150.1, RSMo 2000.

<sup>2</sup> Section 536.010(4), RSMo Supp. 2010.

<sup>3</sup> Section 536.060(3), RSMo 2000.

<sup>4</sup> Section 536.060, RSMo 2000.

<sup>5</sup> 4 CSR 240-2.115.

<sup>6</sup> Section 393.150.2, RSMo 2000.

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

Dated at Jefferson City, Missouri,  
on this 28<sup>th</sup> day of April, 2011.