

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 REGARDING WITHDRAWAL OF MOTION TO REJECT TARIFF

Issue Date: April 6, 2011

Effective Date: April 6, 2011

The Missouri Public Service Commission is acknowledging the withdrawal of the *Motion to Reject Tariff* ("motion") by AT&T Communications and AT&T Missouri (together, "AT&T").

The motion's subject is the tariff assigned Tracking No. JX-2011-0488 ("tariff"). The tariff relates to the telecommunications services of Level 3 Communications, LLC ("Level 3"). The tariff arrived at the Commission's offices on March 29, bore an issued date of March 30, and bore an effective date of March 31. In response to the tariff, AT&T filed the motion.¹

In the motion, AT&T argues that the effective date does not comply with provisions of law determining the effective date of tariffs. Such provisions state that a tariff's effective date generally must be 30 days from a tariff's filing.² AT&T argues that the tariff is within no exception to those provisions. Level 3 does not dispute the argument and filed an extension of the tariff's effective date to April 29, 2011.³ In response to the extension, AT&T filed a withdrawal of the motion.⁴

¹ On April 1. All dates are in 2011.

² Section 392.220.1 and 2, RSMo Supp. 2010; 4 CSR 240-3.545(18).

³ Under 4 CSR 240-2.065(5).

⁴ On April 6.

THE COMMISSION ORDERS THAT:

1. *Motion to Reject Tariff* is withdrawn.
2. The effective date of the tariff assigned JX-2011-0488 ("tariff") is April 29, 2011.
3. The Commission's Data Center shall cause the Commission's records to reflect an effective date of April 29, 2011, for the tariff.
4. This order shall become effective immediately upon issuance.
5. This file shall close on April 7, 2011.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

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

Dated at Jefferson City, Missouri,
on this 6th day of April, 2011.