

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

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

**RECOMMENDATION TO APPROVE TARIFF**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through the undersigned counsel, and recommends that the Missouri Public Service Commission (Commission) approve the proposed tariff revisions included in the tariff filing JX-2011-0488, and respectfully states the following:

1. On March 29, 2011, Level 3 Communications, LLC (“Level 3”) filed tariff revisions that were assigned the tariff tracking number JX-2011-0488. After requests by both the Staff and AT&T, the tariff filing is presently suspended, and a Staff Recommendation is due on or before August 5, 2011.

2. In the attached Memorandum, the Staff explains that it believes the proposed revisions comply with Missouri law and comport with the company’s existing tariff. The Staff, having reviewed and investigated the assertions by AT&T, finds that they are unfounded, mistakenly apply cases in which the facts and law are materially different from the facts in this case, and generally do not provide a sufficient factual, legal or public interest reason to further suspend the tariff. Having made its diligent review, the Staff is convinced that the tariff filing is lawful under both Missouri and federal law, consistently applies the requirements and definitions contained in Missouri and federal law and is consistent with the public interest. The Staff believes that the Commission should approve the proposed tariff filing without further suspension or delay.

**WHEREFORE**, the Staff respectfully requests that the Commission approve the Level 3 tariff filing referred to as JX-2011-0488 or allow it to take effect by operation of law.

Respectfully submitted,



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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 4<sup>th</sup> day of August, 2011.

