

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Embarq Missouri, Inc.'s Application for)
Competitive Classification Under Section 392.245.5,) **Case No. TO-2009-0061**
RSMo 2008.)

ORDER OF CORRECTION

Issue Date: October 3, 2008

Effective Date: October 3, 2008

The Commission's Order Directing Notice and Directing Filing issued on October 1, 2008, quoted an incorrect portion of the relevant statute. The first paragraph of the second page of the order should have read:

Any incumbent local exchange company may be classified as competitive "within an exchange based on competition from any entity providing local voice service in whole or in part by using its own telecommunications facilities or other facilities or the telecommunications facilities or other facilities of a third party, including those of the incumbent local exchange company as well as providers that rely on an unaffiliated third-party Internet service."¹ The Commission shall approve the application within 60 days. Because of the need to proceed expeditiously, the Commission will issue notice, set a time for any objections to the application or requests for a hearing to be filed, and set a time for a recommendation from the Staff of the Commission. If no proper person requests a hearing, the Commission may make its decision based on the verified application and other filings in the case.²

THE COMMISSION ORDERS THAT:

1. The Order Directing Notice and Directing Filing issued on October 1, 2008, is corrected as set out above.

¹ Section 392.245.5(6), RSMo (amended by H.B. 1779, effective August 28, 2008).

² *State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Comm'n*, 776 S.W.2d 494, 495-496 (Mo. App. 1989).

2. This order is effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of October, 2008.