

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

In the Matter of Embarrq Missouri Inc.'s Application	)	
For a Commission Finding that 55 Percent of	)	
Embarrq Missouri, Inc.'s Total Subscriber Access	)	<b><u>Case No. TO-2009-0160</u></b>
Lines are In Exchanges where Its Services Have	)	
Previously Been Declared Competitive	)	

**ORDER DIRECTING FILING OF STAFF RECOMMENDATION**

Issue Date: November 3, 2008

Effective Date: November 3, 2008

On October 28, 2008, Embarrq Missouri, Inc. filed an application for Declaration of Competitive Status. Embarrq Missouri stated that 55% or more of its total subscriber access lines are in exchanges where its services have been declared competitive. Embarrq Missouri further stated the company has met the statutory standard to be deemed competitive under Section 392.245.5(7), RSMo.

The Commission will direct its Staff to file its recommendation concerning the competitive status request.

**IT IS ORDERED THAT:**

1. The Staff of the Commission shall, no later than November 13, 2008, file its recommendation.

2. This order shall become effective on November 3, 2008.

**BY THE COMMISSION**

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

Colleen M. Dale  
Secretary

(SEAL)

Colleen M. Dale, 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 November, 2008.