

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

The Staff of the Missouri Public Service Commission,)		
)		
)	Complainant,	
v.)		<u>File No. XC-2009-0424</u>
)		
NOW Intermedia, Inc.,)		
)	Respondent.	

ORDER SETTING PREHEARING CONFERENCE

Issue Date: September 9, 2009

Effective Date: September 9, 2009

On May 27, 2009, the Staff of the Missouri Public Service Commission filed a complaint against NOW Intermedia, Inc., alleging that the company did not file its 2007 and 2008 annual reports. The company then filed a pleading admitting to not having filed its annual reports. The company also stated that it was then filing the annual reports and requested that the Commission accept them as late-filed.

Thereafter, Staff filed a pleading informing the Commission that the reports filed by the company were deficient and further, that the company has failed to cure the deficiency. Staff requests that it be directed to seek penalties in Circuit Court.

This matter is now at issue and a prehearing conference and procedural schedule are appropriate to ensure its prompt resolution. At the prehearing conference, the parties or their representatives should be prepared to discuss the nature of any discovery each will conduct and the interval necessary for its completion; the number of witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. The parties or their representatives


should also be prepared to discuss the current status of settlement negotiations. It is expected that the prehearing conference will provide an opportunity for the parties to further pursue settlement discussions. Parties who wish to participate by telephone may do so but must contact the judge two days prior to the hearing at 573-751-8518.

THE COMMISSION ORDERS THAT:

1. A prehearing conference shall be held on October 2, 2009, beginning at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

2. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of September, 2009.