

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

JACOR CONTRACTING, INC.,)
)
 Complainant,)
)
 v.)
)
 NUVOX COMMUNICATIONS OF)
 MISSOURI, INC.,)
)
 and,)
)
 SOUTHWESTERN BELL COMMUNICATIONS)
 COMPANY D/B/A AT&T MISSOURI)
)
 Respondents.)

Case No. CC-2009-0128

**ORDER FOR MEDIATION, APPOINTING MEDIATOR, STAYING
PROCEEDINGS, DIRECTING SUBMISSIONS TO MEDIATOR AND
DIRECTING FILING OF STATUS REPORT WITH THE COMMISSION**

Issue Date: November 4, 2008

Effective Date: November 4, 2008

On October 9,¹ JACOR Contracting, Inc., (“JACOR”), filed a complaint with the Commission against NuVox Communications of Missouri, Inc. (“NuVox”) and Southwestern Bell Communications Company d/b/a AT&T Missouri (“AT&T Missouri”). On October 21, AT&T Missouri filed a request for mediation, indicating its willingness to enter into third-party mediation. Also on October 21, NuVox filed a response to AT&T Missouri’s request indicating it was willing to mediate this dispute.

¹ All dates throughout this order refer to the year 2008 unless otherwise noted.

Consequently, on October 21, the Commission ordered Complainant to respond to the mediation request. On November 3, JACOR filed a response to the Commission's October 21 order. JACOR has consented to AT&T Missouri's request to mediate. Therefore, as permitted by Commission Rule 4 CSR 240-2.125, the Commission will stay all other proceedings in this matter while the parties mediate.

The Commission appoints Daniel Jordan, Regulatory Law Judge, as Mediator. No later than November 17, each party shall submit a written statement to the Mediator summarizing the dispute and shall furnish such other material and information it deems appropriate to familiarize the Mediator with the dispute. All documentation submitted to the mediator shall be submitted to:

Daniel Jordan, RLJ
Missouri Public Service Commission
Governor Office Building
200 Madison Street, Suite 900
Jefferson City, Missouri 65102
daniel.jordan@psc.mo.gov

No materials utilized for mediation shall be filed under this case number to ensure the impartiality of the Presiding Officer to this matter should mediation fail to resolve the dispute.

The assigned mediator shall convene an initial conference to discuss a procedural schedule, and each party should be prepared to present its position informally to the Mediator at the initial conference. The Mediator shall inform the Commission in writing of the progress of the mediation on or before December 22. This separate filing should be made with the Commission in Case Number CC-2009-0128.

THE COMMISSION ORDERS THAT:

1. The parties shall mediate their dispute pursuant to Commission Rule 4 CSR 240-2.125.

2. No later than November 17, 2008, the parties shall contact Daniel Jordan, Regulatory Law Judge, the appointed Mediator, at the Missouri Public Service Commission, 573-751-7485, to initiate the mediation process.

3. No later than November 17, 2008, each party shall submit to the Mediator a written statement summarizing the dispute and shall furnish such other material and information it deems appropriate to familiarize the Mediator with the dispute.

4. All submissions to Mediator Daniel Jordan shall be sent to:

Daniel Jordan, RLJ
Missouri Public Service Commission
Governor Office Building
200 Madison Street, Suite 900
Jefferson City, Missouri 65102
daniel.jordan@psc.mo.gov

5. All other proceedings in this matter are stayed pending the outcome of the mediation, except as otherwise indicated in this order.

6. The Mediator shall report the status of the mediation in writing with the Commission on or before December 22, 2008. This status report shall be filed under Case Number CC-2009-0128.

7. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)

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

Colleen M. Dale
Secretary

Harold Stearley, Senior Regulatory Law Judge
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of November, 2008.