

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

In the Matter of the Determination of Prices,	)	
Terms, and Conditions of Certain Unbundled	)	Case No. TO-2001-438
Network Elements.	)	

**JOINT MOTION TO POSTPONE SETTLEMENT CONFERENCE**

Southwestern Bell Telephone Company<sup>1</sup> and the Joint Sponsors<sup>2</sup> respectfully request the Missouri Public Service Commission to postpone the settlement conference that is currently scheduled for December 9, 2002.

In its November 25, 2002 Order scheduling the conference, the Commission indicated that it was establishing the conference for the purpose of identifying those issues that must be resolved by the Commission. The Order also required the parties to submit a pleading after the conference (and no later than December 16, 2002) identifying any remaining issues, and recommending a procedural schedule by which the Commission could quickly resolve those remaining issues.

Southwestern Bell and the Joint Sponsors have been conferring and have determined that some of their respective witnesses may not be available on December 9, 2002. Southwestern Bell and the Joint Sponsors will, along with Staff, continue to confer to discuss the outstanding issues and to determine a mutually agreeable date for holding the post hearing settlement conference should it be necessary. Southwestern Bell and the Joint Sponsors therefore jointly

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<sup>1</sup> Southwestern Bell Telephone, L.P., d/b/a Southwestern Bell Telephone Company, will be referred to in this pleading as "Southwestern Bell" or "SWBT."

<sup>2</sup> AT&T Communications of the Southwest, Inc. MCI metro Access Transmission Services, LLC, Brooks Fiber Communications of Missouri, Inc., MCI WorldCom Communications, Inc., Birch Telecom of Missouri, Inc., XO Missouri, Inc., NuVox Communications of Missouri, Inc., McLeodUSA Telecommunications, Inc., TCG Kansas City, Inc., and TCG St. Louis, Inc. (collectively "Joint Sponsors"). Counsel for AT&T has been authorized to represent the other Joint Sponsor parties' concurrence in this Joint Motion.

request the Commission to postpone the December 9, 2002 (and the follow-up pleading currently due on December 16, 2002) subject to subsequent report to the Commission by the parties as to a mutually agreeable date for a settlement conference and the status of outstanding issues.

Counsel for Southwestern Bell has contacted counsel for the Commission Staff and has been authorized to indicate that Staff has no opposition to the Commission's granting of this Motion.

WHEREFORE, Southwestern Bell and the Joint Sponsors respectfully request the Commission to postpone the December 9, 2002 post hearing settlement conference and the December 16, 2002 pleading, subject to subsequent report of the parties.

Respectfully submitted;

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SOUTHWEST, INC.

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing document were served to all parties by e-mail on December 3, 2002.



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