

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

**In the Matter of the Petition of Charter Fiberlink- )  
Missouri, LLC for Arbitration of an Interconnection ) Case No. TO-2009-0037  
Agreement Between CenturyTel of Missouri, LLC )  
And Charter Fiberlink-Missouri, LLC. )**

**JOINT RESPONSE TO ORDER DIRECTING FILING**

COME NOW Charter Fiberlink-Missouri, LLC (“Charter”) and CenturyTel of Missouri, LLC (“CenturyTel”) (collectively, the “Parties”), pursuant to Commission Rules 4 CSR 240-2.080 and 4 CSR 240-36.050 and the Commission’s Order Directing Filing issued in this matter on April 13, 2009 (“Order”), and for their Joint Response to Order Directing Filing respectfully state as follows:

1. The Parties filed the conforming interconnection agreement in this matter on March 27, 2009. In its Order, the Commission notes that the Staff of the Commission filed its Recommendation on April 10, 2009, stating that “it is unable to discern which portions of the submitted agreement were negotiated, and which terms were arbitrated. Staff requests the Commission to order the parties to file a marked-up version of the agreement, in which the arbitrated and negotiated provisions are clearly distinguished.” (Order at 1).

2. Accordingly, the Commission has ordered that Charter and CenturyTel “shall file a marked-up version of the interconnection agreement they filed with the Commission on March 27, 2009, which clearly distinguishes the negotiated terms from the arbitrated terms, no later than April 15, 2009.” (Order at 2).

3. Counsel for Charter and CenturyTel discussed the above directive with the Commission’s General Counsel and the author of the Staff Memorandum, Mr. Voight, on

April 13, 2009, to solicit Staff's input regarding any preferences in formatting the responsive document. As a result, the Parties have prepared the attached copy of the conformed agreement that "highlights" the specific arbitrated provisions (or portions of provisions) contained therein. To the extent a provision is not highlighted, it should be considered negotiated by the Parties. The Parties respectfully submit that the attached copy of the conformed agreement is responsive to, and in conformance with, the Commission's Order.

4. In addition, the Staff Memorandum accompanying the Staff Recommendation notes that the submitted interconnection agreement was not accompanied by signed affidavits, and Staff "requests the Commission order the parties to submit affidavits attesting to conformance of the Commission's Order." (Memorandum, page 2). Staff reiterated this request during the above-referenced discussions held on April 13<sup>th</sup>, and both Charter and CenturyTel have prepared, and submit herewith, their respective attached Affidavits responsive to Staff's request.

WHEREFORE, the Parties respectfully submit the attached copy of the conformed agreement which clearly distinguishes the negotiated terms from the arbitrated terms; additionally, the Parties also submit their respective Affidavits attesting to conformance to the Commission's February 25, 2009, Order Adopting Final Arbitrator's Report.

DATED: April 15, 2009

Respectfully submitted,

**/s/ Mark W. Comley (LWD)**

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**Counsel for CenturyTel of Missouri, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Joint Response was served by facsimile, hand-delivery, or electronic mail, on the 15<sup>th</sup> day of April, 2009, on the following:

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/s/ Larry W. Dority  
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