

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

In the Matter of CenturyTel of)	
Missouri, LLC's)	
Request for Competitive)	<u>Case No. IO-2008-0243</u>
Classification Pursuant)	Tariff No. YI-2008-0442
to Section 392.245.5, RSMo.)	

**OFFICE OF THE PUBLIC COUNSEL'S
RESPONSE TO THE REQUEST FOR COMPETITIVE CLASSIFICATION**

The Office of Public Counsel asks that the Public Service Commission require strict proof of compliance with the "30-day track "requirements of Section 392.245, RSMo. 2000 (as amended 2005) relating to CenturyTel of Missouri, LLC's amended application that

- (1) the Commission classify its residential services as competitive for the exchanges of (a) Branson, (b) Exeter, (c) Rockaway Beach, and (d) Wright City; and,
- (2) the Commission classify its business services as competitive for the exchanges: (a) Dardenne, (b) Hallsville, (c) Warrenton, (d) Winfield, and (e) Wright City.

The reclassification of these exchanges from price cap regulated exchanges to competitive classification has significant impact on the customers in these communities in that they will lose the price cap protection of a 5% limit on nonbasic services and the annual limit on basic local service of the Consumer Price Index-Telecommunications Services. The Commission should make findings of fact that show that the each exchange and the identified classes of

service meet or does not meet the factors that qualify for competitive classification under the statutory requirements. In that way, the operative facts will be fully disclosed so the public will be advised of the basis for the Commission's competitive classification.

Pursuant to the PSC's direction, the Commission Staff filed its Report on the application, as amended, on February 8, 2008. The Staff concluded that competitive conditions exist in CenturyTel's exchanges and services identified in the amended application and recommended that the Commission make a finding that these CenturyTel's exchanges are "30-day track" competitive exchanges under Section 392.245.5, RSMo.

Public Counsel waives its right to an evidentiary hearing in this case and states that it has no objection to the admission of the application, as amended, and accompanying exhibits, and the Staff report. For purposes of this case, Public Counsel states that the Commission may consider in its review the verified Staff Report filed in this case as evidence to determine if competitive conditions as defined and provided for in Section 392.245.5, RSMo. (Supp. 2006) for a 30-day petition exist in the CenturyTel exchanges and for the class of service identified in the amended application. OPC does not stipulate that the Staff Report demonstrates that the competitive conditions for those exchanges exist and such exchanges should be classified as competitive, but will not offer any evidence in opposition to the Report.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed, emailed and/or hand delivered this 8th ay of February 2008 to the following attorneys of record:

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