

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF MISSOURI**

Application for Approval of an Amendment to the	)	
Interconnection Agreement between Embarq	)	
Missouri, Inc. d/b/a CenturyLink, and Charter	)	Docket No. _____
Fiberlink – Missouri, LLC Pursuant to the	)	
Telecommunications Act of 1996	)	

**APPLICATION FOR APPROVAL OF AN AMENDMENT TO AN  
INTERCONNECTION AGREEMENT**

COMES NOW, Embarq Missouri, Inc. d/b/a CenturyLink, (“CenturyLink”) and files this Application for Approval of an Amendment to the Interconnection Agreement (“Amendment”) between CenturyLink and Charter Fiberlink-Missouri, LLC (“Charter”) pursuant to the Telecommunications Act of 1996 (the “Federal Act”). In support of its Application, CenturyLink states the following:

**I.     APPLICANT**

CenturyLink is a Missouri corporation with offices at 1120 South Tryon Street, Suite 700, Charlotte, NC 28203. CenturyLink is authorized to transact business within the State of Missouri and is authorized by the Missouri Public Service Commission (“Commission”) to provide basic local and interexchange telecommunications service within the state.

To CenturyLink’s knowledge, there are no overdue assessments or annual reports or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

**II.    INTERCONNECTION AGREEMENT**

CenturyLink presents to the Commission the attached Amendment for approval pursuant to the terms of the Federal Act. The implementation of the Amendment complies fully with Section 252(e) of the Act because the Amendment is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The

Amendment promotes diversity in providers and increases customer choice for telecommunications services.

### **III. STANDARD OF REVIEW**

The statutory standard of review under Section 252(e) of the Federal Act states:

(e) Approval by State Commission.

(1) Approval Required. – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement with written findings as to any deficiencies.

(2) Grounds For Rejection – The State commission may only reject –

(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that –

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience and necessity.

### **IV. REQUEST FOR APPROVAL**

CenturyLink seeks the Commission's approval of the Amendment, consistent with the provisions of the Act. The Amendment is bilateral, reached as a result of negotiation and compromise between the parties. There are no outstanding issues involving the limited subject matter of the Amendment that require the assistance of mediation or arbitration. CenturyLink and Charter do not believe a docket or intervention by other parties is necessary or appropriate.

CenturyLink requests that the Commission grant expeditious approval of the Amendment, without change, suspension or other delay in its implementation.

### **V. CONTACT INFORMATION**

In addition to undersigned counsel, all communications regarding this Application should be addressed to the following representatives:

**CenturyLink:**

Legal Department / Regulatory Notices  
P.O. Box 1330  
Fayetteville, NC 28302-1330  
Phone: 833-692-7773  
carrieragreements@brightspeed.com

**Charter:**

Charter Communications, Inc.  
Attn: Legal Department – Telephone  
12405 Powerscourt Drive  
St Louis, Missouri 63131  
Michael.Moore@charter.com

and copy to:

Charles A. Hudak, Esq.  
Friend, Hudak & Harris, LLP  
Three Ravinia Drive, Suite 1700  
Atlanta, Georgia 30346  
chudak@fh2.com

**VI. CONCLUSION**

WHEREFORE, for the reasons set forth above, CenturyLink respectfully requests that the Commission enter an Order approving this Amendment to the Interconnection Agreement between CenturyLink and Charter.

Respectfully,

/s/ Tim Opitz

Tim Opitz, Mo. Bar No. 65082  
Opitz Law Firm, LLC  
308 E. High Street, Suite B101  
Jefferson City, MO 65101  
(573) 825-1796  
[Tim.opitz@opitzlawfirm.com](mailto:Tim.opitz@opitzlawfirm.com)

### **REQUEST FOR WAIVER**

By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, Commissioner Advisor, Regulatory Law Judge, or any member of their support team in the one hundred fifty (150) days prior to the filing date of this application regarding any substantive issue included in this filing.

Respectfully submitted,

**/s/ Tim Opitz**

Tim Opitz, Mo. Bar No. 65082

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 7<sup>th</sup> day of April 2023, a copy of the above and foregoing Application of CenturyLink for Approval of an Amendment to the Interconnection Agreement was served via email and/or U.S. Mail, postage prepaid, to each of the following:

**Office of the Public Counsel**

Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101  
[opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)

**Office of the General Counsel**

Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101  
[staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov)

**Brightspeed:**

Legal Department / Regulatory Notices  
P.O. Box 1330  
Fayetteville, NC 28302-1330  
Phone: 833-692-7773  
[carrieragreements@brightspeed.com](mailto:carrieragreements@brightspeed.com)

**Charter:**

Charter Communications, Inc.  
Attn: Legal Department – Telephone  
12405 Powerscourt Drive  
St Louis, Missouri 63131  
[Michael.Moore@charter.com](mailto:Michael.Moore@charter.com)

and copy to:

Charles A. Hudak, Esq.  
Friend, Hudak & Harris, LLP  
Three Ravinia Drive, Suite 1700  
Atlanta, Georgia 30346  
[chudak@fh2.com](mailto:chudak@fh2.com)

**/s/ Tim Opitz**