

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

In Re: Resale Forbearance Amendment to the)
Interconnection Agreement Between Comcast Phone) Case No. _____
of Missouri, LLC d/b/a Comcast Digital Phone and)
Embarq Missouri, Inc. d/b/a CenturyLink Pursuant to)
Sections 251 and 252 of the Telecommunications Act)
of 1996)

**APPLICATION OF CENTURYLINK FOR APPROVAL OF THE RESALE
FORBEARANCE AMENDMENT TO THE INTERCONNECTION AGREEMENT**

COMES NOW, Embarq Missouri, Inc. d/b/a CenturyLink (“CenturyLink”) and files its Application for Approval of the Resale Forbearance Amendment to the Interconnection Agreement (“Agreement”) between Comcast Phone of Missouri LLC d/b/a Comcast Digital Phone (“Comcast”) and CenturyLink 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 319 Madison, Jefferson City, Missouri 65102. 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.

CenturyLink was originally incorporated in Missouri in 1929 as The United Telephone Company. A restatement of its certification was received in Case No. TA-88-87. CenturyLink has received all necessary Commission and Secretary of State approvals for subsequent name changes and is a corporation in good standing in the State of Missouri.

Evidence of proper name registrations was most recently provided to this Commission in Case No. TO-97-53 (Re: United Telephone Company of Missouri's Adoption Notice Designed to Change the Company's Name to United Telephone Company of Missouri d/b/a Sprint), Case No. TO-98-107 (Application of United Telephone Company of Missouri d/b/a Sprint for Approval of Name Change to Sprint Missouri, Inc.), Case No. TN-2006-0416 (Re Name Change Request of Sprint Missouri, Inc., to Embarq Missouri, Inc., d/b/a Embarq) and Case No. TN-2010-0086 (Fictitious Name Change Request of Embarq Missouri, Inc. d/b/a Embarq to Embarq Missouri, Inc. d/b/a CenturyLink). CenturyLink requests that the information in those cases be incorporated herein by reference.

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 its application pursuant to the terms of the Federal Act. CenturyLink and Comcast entered into an Interconnection Agreement which was approved by the Commission on November 17, 2016 in Docket No. TK-2017-0083.

CenturyLink and Comcast recently entered into the attached Resale Forbearance Amendment to the Interconnection Agreement, which amends the Agreement entered into by adding terms and conditions for Resale as set forth in attachments and Table 1 to the Agreement. There are no outstanding issues related to the Agreement between the parties that require the assistance of mediation or arbitration.

III. STANDARD FOR REVIEW

The statutory standard of review under Section 252(e) of the 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 to shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) under subsection (a) if it finds Grounds for Rejection. The State commission may only reject.
 - (A) an agreement (or any portion thereof) adopted by negotiation 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; or...

CenturyLink further states that the Agreement is consistent with the public interest, convenience and necessity in that it allows for full and fair competition and greater choice for the consumer. The Agreement does not discriminate against other carriers who are not a party to the Agreement because the terms of the Agreement are equally available to any other carrier.

IV. REQUEST FOR APPROVAL

CenturyLink seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act. CenturyLink and Comcast believe that the implementation of this Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement promotes diversity in providers, provides interconnectivity, and increases customer choices for telecommunications services.

CenturyLink and Comcast respectfully request that the Commission grant approval of the Agreement, without change, suspension or other delay in its implementation.

V. CONCLUSION

WHEREFORE, for the foregoing reasons, CenturyLink requests that the Commission approve the Resale Forbearance Amendment to the Interconnection Agreement between CenturyLink and Comcast Phone of Missouri LLC d/b/a Comcast Digital Phone.

Respectfully submitted,

/s/ Becky Owenson Kilpatrick
Becky Owenson Kilpatrick Bar No. 42042
931 14th Street
Denver, CO 80202
Phone: 318.340.5027
Becky.kilpatrick@lumen.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 22nd day of February, 2021, a copy of the above and foregoing Application of CenturyLink for Approval of the Resale Forbearance 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, Missouri 65101
opcservice@opc.mo.gov

Office of the General Counsel
Missouri Public Service Commission
200 Madison Street
Jefferson City, Missouri 65101
staffcounsel@psc.mo.gov

Beth O'Donnell
Director, Regulatory Affairs
Comcast Corporation
One Comcast Center, 55th Floor
1701 JFK Blvd.
Philadelphia, PA 19103
Beth-odonnell@comcast.com


