

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

In the matter of the Application of )  
Spectra Communications Group, LLC )  
for Approval of an Amendment to )  
its Interconnection, Resale and Unbundling )  
Agreement with Chariton Valley Telecom )  
Corporation. )

Case No. \_\_\_\_\_

**APPLICATION OF SPECTRA COMMUNICATIONS GROUP, LLC  
FOR APPROVAL OF AMENDMENT TO INTERCONNECTION,  
RESALE AND UNBUNDLING AGREEMENT**

**COMES NOW** Spectra Communications Group, LLC ("Spectra") and hereby applies for approval by the Missouri Public Service Commission ("Commission") of the accompanying Amendment to Interconnection, Resale and Unbundling Agreement voluntarily entered into by Spectra and Chariton Valley Telecom Corporation ("Chariton Valley Telecom"), pursuant to the federal Telecommunications Act of 1996 (the "Act") and Commission Rule 4 CSR 240-3.513(6)(C), and respectfully states as follows:

**I. PRELIMINARY MATTERS**

1. Spectra is a Delaware Limited Liability Company authorized to do business in Missouri, as evidenced by the certificate of authority issued by the Missouri Secretary of State which was filed in Case No. TM-2000-182 and incorporated herein by reference. Spectra's principle place of business is 1151 CenturyTel Drive, Wentzville, Missouri 63885.

2. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to:

Larry W. Dority  
FISCHER & DORITY, P.C.  
101 Madison, Suite 400  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383

3. Spectra has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

4. By this Application, Spectra seeks Commission approval of an Amendment to its Interconnection, Resale and Unbundling Agreement with Chariton Valley Telecom. The original Agreement was approved by the Commission in Case No. TK-2005-0453, by its Order Approving Interconnection Agreement issued July 12, 2005 ("Order").

## **II. AMENDMENT TO INTERCONNECTION AGREEMENT REACHED**

5. In accordance with the Amendment Procedure section of the above-referenced Order, Spectra presents to this Commission for approval **Amendment 1** ("Amendment") to the Interconnection, Resale and Unbundling Agreement which was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations, the parties executed Amendment 1 on February 13, 2008. Amendment 1 is appended hereto. There are no outstanding issues between Spectra and Chariton Valley Telecom that need the assistance of mediation or arbitration.

## **III. REQUEST FOR APPROVAL**

Spectra seeks the Commission's approval of the Amendment, consistent with the provisions of the Act and Missouri law. Spectra believes that the implementation of this 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 interconnectivity and diversity in providers, and will increase customer choices for telecommunications services. Spectra respectfully requests that the Commission grant approval of this Amendment, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise between Spectra and Chariton Valley Telecom.

#### **IV. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Act, which provides:

##### **(e) APPROVAL BY STATE COMMISSION**

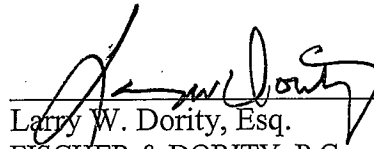
- (1) APPROVAL REQUIRED.** – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS 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; . . . .

#### **V. MISSOURI LEGISLATION**

The negotiated and executed Amendment is consistent with Missouri Senate Bill 507, which became effective on August 28, 1996.

**WHEREFORE**, Spectra Communications Group, LLC respectfully requests the Commission to enter an Order approving its Amendment 1 to Interconnection, Resale and Unbundling Agreement with Chariton Valley Telecom Corporation.

Respectfully submitted,



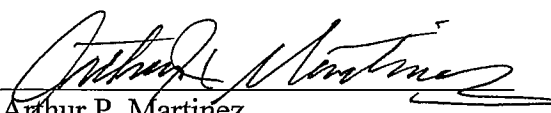
Larry W. Dority, Esq. MBN 25617  
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Attorneys for Spectra Communications Group, LLC

**VERIFICATION**

STATE OF MISSOURI                    )  
  ) SS  
COUNTY OF COLE                    )

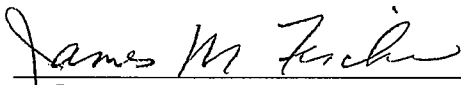
I, Arthur P. Martinez, of lawful age, being first duly sworn upon my oath, state that I am the Region Director of Government Relations for Spectra Communications Group, LLC, and that I am authorized to make this verification on behalf of Spectra Communications Group, L.L.C.; and that the facts set forth in the foregoing Application are true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Arthur P. Martinez

Subscribed and sworn to before me this 30<sup>th</sup> day of February, 2008.



JAMES M. FISCHER  
My Commission Expires  
October 6, 2011  
Cole County  
Commission #07385348

  
\_\_\_\_\_  
Notary Public

My Commission expires:

10-6-2011

## CERTIFICATE OF SERVICE

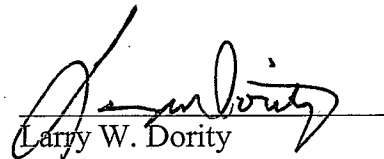
I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 21<sup>st</sup> day of February, 2008, to:

Office of the Public Counsel  
200 Madison Street  
Jefferson City, MO 65101

Kevin Thompson, General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101

Chariton Valley Telecom Corporation  
Attn: James A. Simon, Gen. Mgr.  
606 Oak Street  
Bucklin, MO 64631

Craig S. Johnson  
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Larry W. Dority