

CASE NO. TO-2009-0037

Rebuttal Testimony of Pam Hankins

Rebuttal Schedule PH-1

Letter dated July 11, 2007

**Re: Notice from CenturyTel of Missouri, LLC (“CenturyTel”) to
Charter Fiberlink – Missouri, LLC (“Charter”)**



July 11, 2007

VIA OVERNIGHT MAIL

Mr. Jerold C. Lambert
Vice President & Senior Counsel
12405 Powerscourt Drive, Suite 400
St. Louis, Missouri 63131-3674

Re: Notice from CenturyTel of Missouri, LLC ("CenturyTel") to Charter
Fiberlink - Missouri, LLC ("Charter")

To whom it may Concern:

In 2004, CenturyTel sent a demand letter to Charter for outstanding charges to its account. This demand letter resulted in CenturyTel and Charter entering dispute resolution concerning CenturyTel's billings to Charter for nonrecurring service order charges associated with local service requests (LSRs) for number ports and customer record searches. Charter ultimately remitted payment to CenturyTel for the balance due as shown in their account.

According to our billing records, Charter is currently in default on two accounts for similar charges - 301644892 and 405601334. Total past due on these accounts is \$112,152.02¹. Total amount due including current charges is \$115,295.37¹. Therefore, CenturyTel is pursuing its rights under the Agreement, including suspending service thereunder.

12. Default

If either Party ("Defaulting Party") fails to make a payment required by this Agreement (including, but not limited to, any payment required by Section 9.3 of undisputed amounts to the billing Party) or materially breaches any other material provision of this Agreement, and such failure or breach continues for thirty (30) days after written notice thereof from the other Party, the other Party may, by written notice to the Defaulting Party, (a) suspend the provision of any or all Services hereunder, or (b) cancel this Agreement and terminate the provision of all Services hereunder.

Accordingly, in accordance with the Agreement's terms binding Charter, and pursuant to Section 12 of said Agreement, if full payment of the outstanding amount of **\$115,295.37** is not received by **August 10, 2007**, the Agreement between CenturyTel and Charter will be terminated, and CenturyTel will terminate the provision of all services to Charter.

¹ Account 301644892 past due balance is \$83,919.93; total due is \$83,965.99. Account 405601334 past due balance is \$28,232.09; total due is \$31,329.38. Although Section 9.4 of the Agreement provides for late payment charges of 1 1/2%/month, no late payment charges are included in the balance shown on Account 301644892.

Mr. Jerold C. Lambert
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Pursuant to a prior request for courtesy notification of a termination of relationship with any competitive carrier for non-payment, a copy of this letter is being provided to the Missouri Public Service Commission.

We appreciate your attention to this matter. Please contact Pam Hankins at (318) 368-8654 or Susan Smith at (903) 792-3499 with questions.

Sincerely,



Pam Hankins

Manager, Carrier Relations Collections Department

cc: Missouri Public Service Commission
Ms. Susan Smith, Regional Carrier Relations Director
Mr. Arthur Martinez, Regional Government Relations Director
