

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

In The Matter of Spectra Communications)
Group, LLC d/b/a CenturyTel's Request) Case No. IO-2008-_____
for Competitive Classification Pursuant to)
Section 392.245.5, RSMo. (2005).)

**SPECTRA COMMUNICATIONS GROUP, LLC D/B/A CENTURYTEL'S
APPLICATION FOR COMPETITIVE CLASSIFICATION**

COMES NOW Spectra Communications Group, LLC d/b/a CenturyTel ("Spectra"), pursuant to Section 392.245.5 RSMo., and hereby requests that the Commission conduct a 30-day competitive classification review pursuant to Section 392.245.5(6) RSMo. and approve Spectra's Application for Competitive Classification for all of its residential services, other than exchange access service, for the exchange of Aurora. Concurrent with the filing of this Application, Spectra is filing proposed tariffs, with thirty day effective dates, reflecting grants of the requested competitive classification. In support of its Application, Spectra states as follows:

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 pursuant to Commission Rule 4 CSR 240-2.060(1)(G). Spectra is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those terms is defined in Section 386.020, RSMo. 2000. Pursuant to the Commission's *Order Approving Price Cap Regulation* issued in Case No. IO-2003-0132, Spectra is a large

incumbent local exchange carrier subject to Price Cap Regulation under Section 392.245 RSMo.

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

Becky Owenson Kilpatrick
CenturyTel
220 Madison Street
Jefferson City, MO 65101
Telephone: (573) 634-4261
Facsimile: (573) 636-6826

3. Spectra has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that 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. Missouri statute Section 392.245.5 RSMo., allows carriers subject to Price Cap Regulation to seek competitive classification for each telecommunications service offered to business and residential customers, other than exchange access service, in any exchange in which at least two non-affiliated entities are providing basic local telecommunications service to customers within the exchange. Spectra respectfully submits that all the exchange listed above meet the requisite criteria set out in Section 392.245.5 RSMo. Specifically, at least one non-affiliated wireless carrier is providing service in the exchange. In addition, Spectra's primary wireline competitors in the exchange is a facilities-based CLEC and/or cable operator that is providing local phone service via its own facilities over the same cable which provides cable-TV/cable-broadband service.

Section 392.245.5 RSMo. states as follows:

5. Each telecommunications service offered to business customers, other than exchange access service, of an incumbent local exchange telecommunications company regulated under this section shall be classified as competitive in any exchange in which at least two non-affiliated entities in addition to the incumbent local exchange company are providing basic local telecommunications service to business customers within the exchange. Each telecommunications service offered to residential customers, other than exchange access service, of an incumbent local exchange telecommunications company regulated under this section shall be classified as competitive in an exchange in which at least two non-affiliated entities in addition to the incumbent local exchange company are providing basic local telecommunications service to residential customers within the exchange. For purposes of this subsection:

(1) Commercial mobile service providers as identified in 47 U.S.C. Section 332(d)(1) and 47 C.F.R. Parts 22 or 24 shall be considered as entities providing basic local telecommunications service, provided that only one such non-affiliated provider shall be considered as providing basic local telecommunications service within an exchange;

(2) Any entity providing local voice service in whole or in part over telecommunications facilities or other facilities in which it or one of its affiliates have an ownership interest shall be considered as a basic local telecommunications service provider regardless of whether such entity is subject to regulation by the commission. A provider of local voice service that requires the use of a third party, unaffiliated broadband network or dial-up Internet network for the origination of local voice service shall not be considered a basic local telecommunications service provider. For purposes of this subsection only, a broadband network is defined as a connection that delivers services at speeds exceeding two hundred kilobits per second in at least one direction;

(3) Regardless of the technology utilized, local voice service shall mean two-way voice service capable of receiving calls from a provider of basic local telecommunications services as defined by subdivision (4) of section 386.020, RSMo;

(4) Telecommunications companies only offering prepaid telecommunications service or only reselling telecommunications service as defined in subdivision (46) of section 386.020, RSMo, in the exchange being considered for competitive classification shall not be considered entities providing basic telecommunications service; and

(5) Prepaid telecommunications service shall mean a local service for which payment is made in advance that excludes access to operator assistance and long distance service;

(6) Upon request of an incumbent local exchange telecommunications company seeking competitive classification of business service or residential service, or both, the commission shall, within thirty days of the request, determine whether the requisite number of entities are providing basic local telecommunications service to business or residential customers, or both, in an exchange and if so, shall approve tariffs designating all such business or residential services other than exchange access service, as competitive within such exchange.

5. Section 392.245.5(1) RSMo., states that commercial mobile service providers shall be considered as entities providing basic local telecommunications service, provided that only one such non-affiliated provider shall be considered as providing basic local telecommunications service within an exchange. Spectra has numerous non-affiliated wireless providers operating in its exchanges providing local service. Exhibit A identifies wireless carriers, including (a) Verizon, (b) Alltel, (c) US Cellular, and (d) Sprint/Nextel providing local service in the above Spectra exchange. (See Exhibit A for Wireless Carriers Operating in this Spectra Exchange.)

6. Section 392.245.5(2) RSMo. allows any wireline carrier providing local phone service in whole or in part over telecommunications facilities of it owns to be considered as entities providing basic local telecommunications service, including cable operators that are also providing local phone service. Specific to this application, Cebridge Communications, LLC d/b/a Suddenlink Communications¹ is providing residential phone service, using facilities it owns in part or whole, in the Spectra exchange of Aurora as discussed in detail below:

¹ "Suddenlink Communications" is a fictitious name registered by Universal Cable Holdings, Inc., Classic Cable, Inc., Cequel III Communications II, LLC, Friendship Cable of Arkansas, Inc., W.K. Communications, Inc., Cebridge Telecom MO, LLC, and Cebridge Acquisitions, L.P., all of which share the same address (see Missouri Secretary of State business registration website).

- a. Cebridge Communications, LLC d/b/a Suddenlink Communications (“Suddenlink”) provides local phone service to residential customers in direct competition with Spectra in the Spectra exchange of Aurora.
 - i. Upon information and belief, Suddenlink is not a reseller of Spectra’s services but uses its own facilities. Suddenlink is a cable operator that has its own facilities deployed throughout the above-mentioned exchanges.
 - ii. In addition, migrations of residential customers from Spectra to Suddenlink are reflected in Spectra’s internal business records showing the disconnection of customers’ loops from Spectra’s switch. Spectra numbers in the Aurora NPA/NXX have been ported to Suddenlink to assist in the provision of residential services. (See attached **HIGHLY CONFIDENTIAL Exhibit A (Sec. 2)**).²

7. Spectra’s Application for Competitive Classification is not a request for any price changes and the above-referenced tariffs being filed concurrently herewith (attached copies for illustrative purposes only as Exhibit B) reflect administrative changes only indicating the new competitive classification. In fact, Spectra acknowledges that all rates currently in effect for these exchanges will remain in effect until such time Spectra files a tariff requesting a price change. Spectra will be required to file tariffs for any future price changes, either increases or decreases, associated with

² All “Highly Confidential” exhibits attached to this Application are filed pursuant to Commission Rule 4 CSR 240-2.135.

these exchanges. Furthermore, Spectra will be required to notify its customers of any future price increase.

WHEREFORE Spectra Communications Group, LLC d/b/a CenturyTel respectfully requests the Commission to approve Spectra's Application for Competitive Classification and its tariffs filed concurrently herewith, pursuant to Section 392.245.5 RSMo. Spectra has demonstrated that at least two non-affiliated entities are providing basic local telecommunications service to customers within the listed exchange. Spectra's Application and tariffs meet the statutory requirements for competitive classification and should become effective in no more than 30 days.

Respectfully submitted,



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*Attorney for Spectra Communications
Group, LLC d/b/a CenturyTel*

VERIFICATION

I, Arthur P. Martinez, Director Government Relations for CenturyTel, hereby verify and affirm that I have read the foregoing Application for Competitive Classification and that the statements contained therein are true and correct to the best of my information and belief.



Arthur P. Martinez

Subscribed and sworn to before me on this 25th day of January 2008.



Notary Public

My Appointment Expires:

8/6/2011

JANE OLIVER
Notary Public - Notary Seal
STATE OF MISSOURI
County of Osage
My Commission Expires 8/6/2011
Commission # 07494938

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 25th day of January, 2008, a copy of the above and foregoing document was served via electronic mail, facsimile or U.S. Mail, postage prepaid to each of the following:

Kevin Thompson
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65101
gencounsel@psc.mo.gov

Mike Dandino
Office of the Public Counsel
P. O. Box 2200
Jefferson City, MO 65101
mike.dandino@ded.mo.gov

A handwritten signature in blue ink, appearing to read "Boyd Dandino", is written over a horizontal line.

LIST OF EXHIBITS

Exhibit A	Aurora Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit B	Spectra Illustrative Tariffs	