BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Waiver of)	
Certain Rules and Statutes to)	File No. TE-2012-0073
Telecommunications Companies)	

SPECTRA COMMUNICATIONS GROUP, LLC D/B/A CENTURYLINK'S NOTICE OF <u>ELECTION OF WAIVERS</u>

COMES NOW Spectra Communications Group, LLC d/b/a CenturyLink ("CenturyLink"), pursuant to Section 392.420, RSMo, as amended by Senate Bill 237¹, and hereby notifies the Missouri Public Service Commission of its election for waiver of subsections 1 and 4 of Section 392.245, RSMo. In support of its Notice of Election, CenturyLink states as follows:

- 1. Spectra Communications Group, LLC d/b/a CenturyLink is a Delaware limited liability corporation that is duly authorized to do business in the state of Missouri. Copies of CenturyLink's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State were filed in Case No. TM-2002-182, and are incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). CenturyLink 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. Cum. Supp. 2010.
- 2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

¹ Senate Bill 237 was truly agreed to and finally passed by the 97th Missouri General Assembly on May 1, 2013; signed by the Governor on May 17, 2013.; and became effect as of August 28, 2013.

Becky Owenson Kilpatrick 625 Cherry Street Columbia, Missouri 65201 Telephone: (573) 886.3506

Facsimile: (720) 264.8153 becky.kilpatrick@centurylink.com

- 3. CenturyLink 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 Section 392.420, RSMo, as enacted in Senate Bill 237, provides as follows:

In the case of an application for certificate of service authority to provide basic local telecommunications service filed by an alternative local exchange telecommunications company, and for all existing alternative local exchange telecommunications companies, the commission shall waive, at a minimum, the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, subsections 1 and 4 of section 392.245, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340. Notwithstanding any other provision of law in this chapter and chapter 386, where an alternative local exchange telecommunications company is authorized to provide local exchange telecommunications services in an incumbent local exchange telecommunications company's authorized service area, the incumbent local exchange telecommunications company may opt into all or some of the above-listed statutory and commission rule waivers by filing a notice of election with the commission that specifies which waivers are elected.

- 5. Staff opened this Case File TE-2012-0073 to allow telecommunications companies to file a Notice of Election of Waivers pursuant to Sections 392.245.5(8), 392.420 and 392.461, RSMo.
- 6. CenturyLink hereby exercises its statutory right to elect to waive the application and enforcement of subsections 1 and 4 of Section 392.245 RSMo pursuant to Section 392.420 as amended by Senate Bill 237.

7. CenturyLink does not waive any right or opportunity to seek additional waivers in the future.

WHEREFORE, Spectra Communications Group, LLC, d/b/a CenturyLink hereby provides the Commission with written notice of its election to waive subsections 1 and 4 of Section 392.245 pursuant to Section 392.420 RSMo as amended by Senate Bill 237, commencing on the date of this filing.

DATED: November 21, 2013.

Respectfully submitted,

Becky Owenson Kilpatrick Missouri Bar No. 42042

625 Cherry Street

Columbia, Missouri 65201

Telephone: (573) 886.3506 Facsimile: (720) 264.8153

E-Mail: <u>becky.kilpatrick@centurylink.com</u>

Attorney for Spectra Communications Group, LLC d/b/a CenturyLink

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 21st day of November 2013, 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:

Cully Dale
Senior Counsel
Missouri Public Service Commission
P.O. Box360
Jefferson City, MO 65101
cully.dale@psc.mo.gov

Lewis Mills
Public Counsel
P. O. Box 2200
Jefferson City, MO 65101
opcservice@ded.mo.gov