

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

In the Matter of the Petition of Charter Fiberlink-)	
Missouri, LLC, for Arbitration of an Interconnection)	<u>File No. TO-2009-0037</u>
Agreement Between CenturyTel of Missouri, LLC,)	
and Charter Fiberlink-Missouri, LLC.)	

ORDER DIRECTING FILING

Issue Date: April 13, 2009

Effective Date: April 13, 2008

On July 31, 2008, Charter Fiberlink-Missouri, LLC (hereafter "Charter") filed its petition for arbitration with the Commission pursuant to the Telecommunications Act of 1996. The petition asked the Commission to arbitrate its unresolved issues with CenturyTel of Missouri, LLC (hereafter "CenturyTel").

The Commission appointed an arbitrator, who rendered his final report on January 6, 2009. The Commission adopted the arbitrator's final report on February 25, 2009, and granted the parties an extension until March 27, 2009, to file a conforming interconnection agreement. CenturyTel and Charter filed an agreement on March 27, 2009, but each party claimed that portions of the agreement do not conform to 47 U.S.C. §§ 251 and 252.

As ordered, the Staff of the Commission filed its Recommendation on April 10, 2009. Staff states that it is unable to discern which portions of the submitted agreement were negotiated, and which terms were arbitrated. Staff requests the Commission to order the parties to file a marked-up version of the agreement, in which the arbitrated and negotiated provisions are clearly distinguished. Further, Staff asks for one week from the submission of the marked-up agreement to conduct a review of that agreement.

Pursuant to 47 U.S.C. § 252(e)(4), and Commission Rule 4 CSR 240-36.050(3), the agreement is deemed approved unless rejected 30 days from the date of filing. Because CenturyTel and Charter filed their agreement on March 27, 2009, the agreement is deemed approved unless rejected before April 26, 2009. Thus, the Commission must order the parties to act expeditiously.

THE COMMISSION ORDERS THAT:

1. Charter Fiberlink-Missouri, LLC and CenturyTel of Missouri, LLC shall file a marked-up version of the interconnection agreement they filed with the Commission on March 27, 2009, which clearly distinguishes the negotiated terms from the arbitrated terms, no later April 15, 2009.
2. The Staff of the Commission shall reply to the marked-up version of the interconnection agreement no later than April 20, 2009.
3. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 13th day of April, 2009.