

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

**FILED<sup>3</sup>**

JAN 9 2012

**Missouri Public  
Service Commission**

In Re: Resale Agreement By and Between )  
BullsEye Telecom, Inc. and CenturyTel of )  
Missouri, LLC d/b/a CenturyLink and )  
Spectra Communications Group, LLC d/b/a )  
CenturyLink Pursuant to Sections 251 and )  
252 of the Telecommunications Act of 1996.)

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

**APPLICATION OF CENTURYTEL OF MISSOURI, LLC D/B/A CENTURYLINK AND  
SPECTRA COMMUNICATIONS GROUP, LLC D/B/A CENTURYLINK  
FOR APPROVAL OF AMENDMENT ONE TO THE RESALE AGREEMENT**

COMES NOW, CenturyTel of Missouri, LLC d/b/a CenturyLink and Spectra Communications Group, LLC d/b/a CenturyLink (jointly "CenturyLink") and files its Application for Approval of a Amendment One to the Resale Agreement ("Amendment") between BullsEye Telecom, Inc. ("BullsEye") and CenturyLink pursuant to the Telecommunications Act of 1996 (the "Federal Act"). In support of its application, CenturyLink states the following:

**I. APPLICANT**

CenturyLink is a Missouri corporation with offices at 319 Madison, Jefferson City, Missouri 65102. CenturyLink is authorized to transact business within the State of Missouri and is authorized by the Missouri Public Service Commission ("Commission") to provide basic local and interexchange telecommunications service within the state.

CenturyLink was originally incorporated in Missouri in 1929 as The United Telephone Company. A restatement of its certification was received in Case No. TA-88-87. CenturyLink

has received all necessary Commission and Secretary of State approvals for subsequent name changes and is a corporation in good standing in the State of Missouri.

Evidence of proper name registrations was most recently provided to this Commission in Case No. TO-97-53 (Re: United Telephone Company of Missouri's Adoption Notice Designed to Change the Company's Name to United Telephone Company of Missouri d/b/a Sprint), Case No. TO-98-107 (Application of United Telephone Company of Missouri d/b/a Sprint for Approval of Name Change to Sprint Missouri, Inc.), Case No. TN-2006-0416 (Re Name Change Request of Sprint Missouri, Inc., to Embarq Missouri, Inc., d/b/a Embarq) and Case No. TN-2010-0086 (Fictitious Name Change Request of Embarq Missouri, Inc. d/b/a Embarq to Embarq Missouri, Inc. d/b/a CenturyLink). CenturyLink requests that the information in those cases be incorporated herein by reference. To CenturyLink's knowledge there are no overdue assessments or annual reports nor are there any pending actions or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

## **II. RESALE AGREEMENT**

CenturyLink presents to the Commission its application pursuant to the terms of the Federal Act. CenturyLink and BullsEye entered into a Resale Agreement dated January 11, 2010 and approved by the Commission July 30, 2010 in Case No. TK-2010-0365. CenturyLink and BullsEye recently entered into the attached Amendment to include Attachment 1 to the Agreement. There are no outstanding issues related to the Agreement between the parties that require the assistance of mediation or arbitration.

## **III. STANDARD FOR REVIEW**

The statutory standard of review under Section 252(e) of the Act states:

- (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 to shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) under subsection (a) if it finds Grounds for Rejection. The State commission may only reject.
  - (A) an agreement (or any portion thereof) adopted by negotiation 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; or...

CenturyLink further states that the Amendment is consistent with the public interest, convenience and necessity in that it allows for full and fair competition and greater choice for the consumer. The Amendment does not discriminate against other carriers who are not a party to the Amendment because the terms of the Amendment are equally available to any other carrier.

#### **IV. REQUEST FOR APPROVAL**

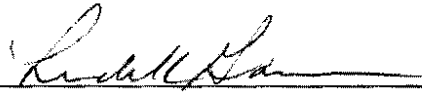
CenturyLink seeks the Commission's approval of the Amendment, consistent with the provisions of the Federal Act. CenturyLink and BullsEye believe that the implementation of this Amendment complies fully with Section 252(e) of the Federal Act because the Amendment is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Amendment promotes diversity in providers, provides interconnectivity, and increases customer choices for telecommunications services.

CenturyLink and BullsEye respectfully request that the Commission grant approval of the Amendment, without change, suspension or other delay in its implementation.

V. CONCLUSION

WHEREFORE, for the foregoing reasons, CenturyLink requests that the Commission approve Amendment One to the Resale Agreement between CenturyLink and BullsEye.

Respectfully submitted,

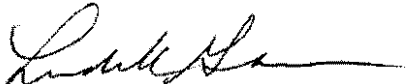


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**VERIFICATION**

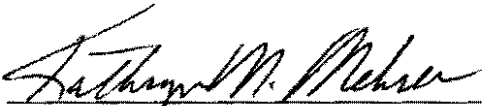
I, Linda Gardner, an attorney and duly authorized representative of CenturyLink hereby verify and affirm that I have read the foregoing Application of CenturyTel of Missouri, LLC D/B/A CenturLink and Spectra Communications Group, LLC d/b/a CenturyLink for Approval of Amendment One to the Resale Agreement and that the statements contained therein are true and correct to the best of my information and belief.

  
\_\_\_\_\_  
Linda Gardner

Subscribed and sworn to before me on this 3<sup>rd</sup> day of January 2012.

My Commission Expires:



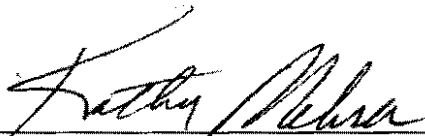
  
\_\_\_\_\_  
Notary Public in and for said  
County and State

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 4<sup>th</sup> day of January 2012, a copy of the above and foregoing Application of CenturyTel of Missouri, LLC D/B/A CenturLink and Spectra Communications Group, LLC d/b/a CenturyLink for Approval of Amendment One to the Resale Agreement was served by email to each of the following:

Office of the Public Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, Missouri 65101

Office of the General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, Missouri 65101

  
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