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July 16, 2003

**FILED**<sup>2</sup>

JUL 17 2003

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Secretary/Chief Administrative Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, Missouri 65101

**Re:** Complaint of Charter Fiberlink-Missouri, LLC

Dear Mr. Roberts:

*TC 2004-0046*

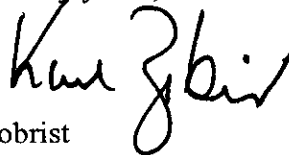
On behalf of Charter Fiberlink-Missouri, LLC, enclosed is an original and eight copies of a Complaint and Request for Expedited Treatment.

Please file with the Commission and distribute copies to the appropriate Commission personnel. Service copies have been mailed as indicated on the Certificate of Service.

Please file-stamp the extra copy of the Complaint, and return it to me in the enclosed self-addressed stamped envelope.

If you have any questions, please let me know. Thank you very much.

Respectfully yours,



Karl Zobrist

KZ/sm  
Enclosures

cc: Counsel of Record

KC-1104059-1

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

JUL 17 2003

Missouri Public  
Service Commission

CHARTER FIBERLINK-MISSOURI, LLC, )  
)  
Complainant, )  
)  
v. )  
)  
CENTURYTEL OF MISSOURI, LLC, )  
)  
Respondent. )

Case No.: TC 2004-0046

COMPLAINT AND REQUEST FOR EXPEDITED TREATMENT

Charter Fiberlink-Missouri, LLC ("Charter") hereby states the following Complaint pursuant to Sections 386.390 and 392.240, Mo. Rev. Stat. (2000), as well as pursuant to 4 CSR 240-2.070:

1. Charter is a foreign corporation in good standing with the State of Missouri and, pursuant to the Commission's Order of April 5, 2001, is a certificated provider of basic local and interexchange telecommunications services.

2. Correspondence and communications in this matter should be addressed to:

Karl Zobrist  
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tfoushee@chartercom.com

3. CenturyTel of Missouri, LLC ("CenturyTel") is a Louisiana limited liability company authorized to do business in Missouri. CenturyTel's address is 100 CenturyTel Drive, Monroe, Louisiana 71203. Its telephone number is (318) 388-9416, and its fax number is (318) 388-9602. CenturyTel's Missouri offices are located at Building A, 1151 CenturyTel Drive, Wentzville, Missouri 63385, telephone (636) 332-3011.

#### **STATEMENT OF FACTS**

4. The Complaint of Charter against CenturyTel arises out of the Interconnection Agreement ("Agreement") through which Charter is able to provide services to Charter customers within certain CenturyTel exchanges in Missouri. These exchanges were formerly operated by GTE Midwest, Inc., d/b/a Verizon Midwest.

5. Charter relies upon CenturyTel to publish Charter's customer listings and to provide directory listing information for Charter customers who reside in CenturyTel's exchanges. CenturyTel is required to provide these services to Charter pursuant to the Agreement, including Section 4 of the Additional Services Attachment that supplements the Agreement.

6. Charter also relies upon CenturyTel to provide directory listings to Southwestern Bell Yellow Pages, Inc. so that Charter's customers appear in the St. Charles, Missouri ancillary directory published by Southwestern Bell Yellow Pages.

7. Charter customers affected by these directory listing issues include customers who have ported numbers from CenturyTel to Charter and customers who have obtained hosted numbers from Charter. Charter estimates that it has approximately 15,000 active lines in the CenturyTel exchanges representing over 12,000 customers.

8. Pursuant to the Agreement, Charter is required to provide customer directory information to CenturyTel for all new and disconnected customers, as well as any customers who

change their listings in any way. Charter provides this information to CenturyTel on a daily basis by email for any affected customer.

9. CenturyTel currently uses Berry Company to publish its directory in the St. Louis metropolitan area. CenturyTel is responsible for submitting correct and accurate listing information for itself as well as all the competitive local exchange companies ("CLECs") in its territory, in accordance with established time deadlines. Charter has been advised by Berry Company that it must receive correct information from CenturyTel regarding Charter's customers and those of other CLECs like Charter by August 23, 2003. Moreover, the deadline for submission of accurate directory listing information to Southwestern Bell Yellow Pages is August 29, 2003.

10. In order to insure that all of its listings are correct, Charter requested a computer file containing all of its listings that had been compiled by CenturyTel weeks prior to these August deadlines. Charter requested that this file be sent to it in early July 2003 so that Charter could meet the deadlines. The verification process for this information is set forth in Section 4.6 of the Additional Services Attachment to the Agreement.

11. On July 3, 2003, CenturyTel provided Charter with a galley of the directory listings for the St. Charles exchanges. The initial file which Charter received contained only 3,800 records. Upon reviewing this data, Charter determined that there were 17 NPA-NXX's included in the file that were not Charter NPA-NXX's. As a result, Charter was unable to create a one-to-one proofing comparison of the CenturyTel file with Charter's listings in order to determine which, if any, listings contained errors. Moreover, since Charter has approximately 15,000 active telephone numbers in the CenturyTel operating area, it is clear that the majority of Charter's customers were not even included in this file.

12. Upon discovering the gross deficiencies in the CenturyTel data, Charter contacted CenturyTel to advise it of these problems. CenturyTel replied that it was possible that Charter's customers were listed in their database, but that such customers were not identified as Charter customers. This admission indicates that CenturyTel cannot accurately provide Charter a file of its customers for verification purposes.

13. CenturyTel also admitted to Charter that CenturyTel does not use an OCN (Operating Company Number) identifier on its directory listing records, so it is impossible to identify the carrier providing service. The OCN is an industry standard designation used to identify telephone numbers by carrier.

14. Since discovering the extent of the problem with CenturyTel's database, Berry Company has contacted Charter with regard to correcting these problems. However, the proposals of Berry Company would improperly shift responsibility, effort and cost from CenturyTel to Charter, when the obligation to provide accurate data and proper directory listing information is that of CenturyTel under the Agreement.

15. CenturyTel has notified Charter that it has delayed the printing of the directory listing galleys because they are behind schedule in the processing of Charter's Access Service Requests (ASRs) and Directory Service Requests (DSRs). CenturyTel has stated that it is close to completing the galleys and that it would meet the 60-day requirement of supplying the galleys prior to the cut-off date. Unfortunately, this deadline has already been missed because the cut-off dates of August 23, 2003 (set by Berry Company) and August 29, 2003 (set by Southwestern Bell Yellow Pages) required that accurate information be received and verified by Charter in June.

16. As a result, it is clear that CenturyTel is unable to identify the listings of any particular company on an individual basis because it does not use OCNs to identify submitting

carriers. Additionally, CenturyTel does not use consistent markers to identify particular CLECs or CLECs in general. It, therefore, appears that Charter will not receive a list of its customers for verification as required by the Agreement.

17. Charter is also concerned that this practice adversely affects Directory Assistance databases. It would be impossible for an operator to direct an emergency interrupt or busy-line verification request to the proper carrier, absent a standard designation by CenturyTel of the managing carrier (Charter in this case). Furthermore, if any of Charter's customer listings are not processed, those customers would not be listed in Directory Assistance.

18. CenturyTel is actively reviewing its DSR process, according to statements it has made to Charter. CenturyTel has not been able to confirm to Charter the process it is using to process directory listing information or that it is processing this information in a timely manner. As a result, it is likely that there are approximately 10,000 Charter customers who may not be listed or will have listing errors in the next directory to be published by CenturyTel.

#### **GROUND FOR EXPEDITED TREATMENT**

19. Charter requests that the Commission consider this matter on an expedited basis and order CenturyTel to adhere to its directory listing obligations in the Agreement. Expedited treatment is appropriate because of the August 2003 publication deadlines under which the Berry Company and Southwestern Bell Yellow Pages are operating.

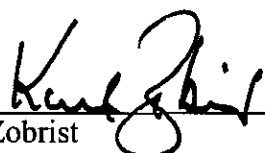
20. Representatives of Charter have been in direct communication with representatives of CenturyTel for the past ninety (90) days with regard to these directory listing problems. Charter has been unable to obtain satisfactory action with regard to these issues. It is therefore likely that, without intervention by this Commission, CenturyTel will be publishing a directory that fails to contain an accurate listing of the names, addresses and telephone numbers of Charter's customers.

21. Complaint jurisdiction by the Commission is appropriate under Sections 386.390 and 392.240, Mo. Rev. Stat. (2000), as well as Section 253 of the 1996 Telecommunications Act.

WHEREFORE, Charter requests that the Commission:

- a. Order CenturyTel to respond to this Complaint within five (5) days of the date of the notice to be issued by the Secretary of the Commission.
- b. Direct the Telecommunications Department of the Commission's Staff to initiate immediately an investigation into this matter.
- c. Order that CenturyTel abide by its obligations in the Agreement and publish an accurate listing in its directory of Charter's customers. Specifically, Charter requests that CenturyTel be ordered to:
  - i. Verify and confirm the process by which CenturyTel processes Charter customer directory listing and Directory Assistance records.
  - ii. Verify and confirm that going forward the process identified in (i) is consistently followed.
  - iii. Verify that CenturyTel has processed all of Charter's customer records, including all records in place at the time of CenturyTel's acquisition of Verizon.
  - iv. Provide a timely, verified, accurate and complete database containing all of Charter's customers for purposes of publication in the CenturyTel and Southwestern Bell Yellow Pages directories.
  - v. Reimburse or credit Charter for all work that it is required to perform in order to identify and correct CenturyTel errors and/or deficiencies in CenturyTel's database and/or processes.

Respectfully submitted,

  
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Attorneys for Complainant Charter  
Fiberlink-Missouri, LLC

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, postage prepaid, to the following persons this 16<sup>th</sup> day of July, 2003:

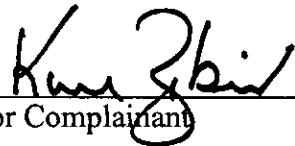
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