

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

CHARTER FIBERLINK-MISSOURI, LLC,)	
)	
Complainant,)	
)	
v.)	Case No.: TC-2004-0046
)	
CENTURYTEL OF MISSOURI, LLC,)	
)	
Respondent.)	

**COMPLAINANT'S RESPONSE TO
ORDER DIRECTING MORE DEFINITE STATEMENT**

Charter Fiberlink-Missouri, LLC ("Charter") hereby states the following in response to the Commission's Order Directing More Definite Statement entered July 21, 2003:

1. Charter requests that the Commission act on or before August 12, 2003. The Commission's Order should direct CenturyTel of Missouri, LLC ("CenturyTel") to provide Charter with an accurate and complete report of all Charter customer listings. If the Commission issues an Order by this date, there will be a short but sufficient time to permit the parties to comply with the true deadlines in this case: The publishing cut-off date of August 23, 2003 set by CenturyTel and Berry Company, its publisher, and the cut-off date of August 29, 2003, set by Southwestern Bell Yellow Pages. Pursuant to the Additional Services Attachment of the Interconnection Agreement, such a report of customer listings must be provided by CenturyTel between 30 and 90 days prior to the "service order close date" for the applicable directory. See Exhibit 1.¹ CenturyTel's policy called for it to provide the report to Charter within 60 days of the August close or cut-off date. As stated in Paragraph 15 of the Complaint, CenturyTel did not meet this internal due date of June 23, 2003 (60 days prior to the August 23 cut-off date) until

¹ The Interconnection Agreement was originally negotiated by Charter and Verizon. CenturyTel has agreed to be bound by the agreement since purchasing certain exchanges from Verizon.

early July. However, CenturyTel's failure to meet that June date does not create an issue of mootness. Clearly, the matters raised in this case are ripe for decision and not moot. Charter regrets any confusion that its reference to the 60-day internal CenturyTel policy may have caused the Commission. The publication deadlines are the August cut-off dates noted above and referred to in Paragraph 15 of the Complaint. Despite the delays that have occurred, Charter believes that if CenturyTel can provide accurate and complete directory listing information by August 15, 2003, Charter will have just enough time to review the files and advise CenturyTel and Berry Company of any minor changes needed to meet the publication cut-off date of August 23, 2003. Similarly, Charter also believes it can meet the Southwestern Bell Yellow Pages cut-off date of August 29 if CenturyTel acts by August 15.

2. Charter requests that the Commission take action so that neither Charter, Charter's customers, nor members of the general public (regardless of whose carrier they may be customers of) will experience the harm that could be caused by the publication of an error-filled, incomplete, or otherwise inaccurate telephone directory. Charter believes that the risk to all customers, including the general public, cannot be underestimated. The public relies upon accurate directory listings to manage important private matters, including emergencies, 24 hours a day, seven days a week. Charter is also fearful that the flawed data being utilized by CenturyTel could adversely affect Directory Assistance databases. As stated in Paragraph 17 of the Complaint, Charter believes that it is likely that an operator would find it impossible to direct an emergency interrupt or busy-line verification request to the proper carrier and, therefore, cause harm to large numbers of customers and the public in general. It is also likely that Charter will suffer financial consequences as a result of such defective directory listing issues if CenturyTel fails to fulfill its obligations under the Agreement.

3. Charter filed its Complaint on July 17, 2003, after determining that the discussions that it was conducting with CenturyTel personnel during the weeks of July 7 and July 14 were not producing any commitment by CenturyTel to rectify the directory listing problems. As stated in paragraph 11 of the Complaint, CenturyTel provided Charter with a draft galley of the listings for the St. Charles exchanges on July 3, 2003. The galley provided was incomplete and replete with errors. Immediately after the Fourth of July holiday, Charter diligently pursued discussions with CenturyTel officials until it became apparent on July 16, 2003, that CenturyTel was taking no action to live up to its commitments in the Agreement. Charter, therefore, authorized its counsel to deliver the Complaint for filing at the Commission.

WHEREFORE, Charter requests that the Commission:

- a. Order CenturyTel to respond to this Complaint no later than July 30, 2003.
- b. Direct the Telecommunications Department of the Commission's Staff to initiate immediately an investigation into this matter.
- c. Order on or before August 12, 2003, that CenturyTel abide by its obligations in the Agreement in order that it be able to 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,

/s/ Karl Zobrist

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been sent by UPS, postage prepaid, to the following persons this 22nd day of July, 2003:

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