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October 16, 2008

## VIA EFIS

Honorable Ronald D. Pridgin Missouri Public Service Commission 200 Madison, Suite 900 Jefferson City, MO 65101

> Re: Case No. TO-2009-0037, In the Matter of the Petition of Charter Fiberlink-Missouri, LLC for Arbitration of an Interconnection Agreement Between CenturyTel of Missouri, LLC and Charter Fiberlink-Missouri, LLC, Joint Agreement on "Briefing Only" Issues

## Dear Judge Pridgin:

The purpose of this joint letter is to inform the Commission that Charter Fiberlink-Missouri, LLC ("Charter") and CenturyTel of Missouri, LLC ("CenturyTel") have reached an agreement that certain issues set forth in the joint Revised Statement of Unresolved Issues ("Joint DPL") (filed September 2, 2008) will be addressed by the parties only in post-hearing briefing. This agreement is based, in substantial part, on the parties' mutual belief that factual testimony is not likely to assist the Commission in determining the resolution of such issues given their primarily "legal" nature. The issues to which the parties' "briefing only" agreement apply are:

Joint DPL Issue Nos. 5, 10, 12, 15 (A) (B) & (C), 26, 31, 35, 36, 37 and 38.

Consequently, the parties further have agreed not to file direct or rebuttal testimony on these specific issues.

The parties also agree to make themselves available at the Commission's convenience should you have any concerns about or desire to discuss further the parties' agreement as set forth in this letter.

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Respectfully submitted,

Larry/W. Dority

Counsel for CenturyTel of Missouri, LLC

nlei Mark/W. Comley

Counsel for Charter Fiberlink-Missouri, LLC

cc: Arbitrator's Advisory Staff Counsel of Record