

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

In Re: FCC Modernizing Unbundling and Resale )  
Requirements Amendment to the Interconnection ) Case No. \_\_\_\_\_  
Agreement Between Comcast Phone of Missouri, )  
LLC d/b/a Comcast Digital Phone and Embarq )  
Missouri, Inc. d/b/a CenturyLink Pursuant to Sections )  
251 and 252 of the Telecommunications Act of 1996 )

**APPLICATION OF CENTURYLINK FOR APPROVAL OF THE  
FCC MODERNIZING UNBUNDLING AND RESALE REQUIREMENTS  
AMENDMENT TO THE INTERCONNECTION AGREEMENT**

COMES NOW, Embarq Missouri, Inc. d/b/a CenturyLink (“CenturyLink”) and files its Application for Approval of the FCC Modernizing Unbundling and Resale Requirements Amendment to the Interconnection Agreement (“Agreement”) between Comcast Phone of Missouri LLC d/b/a Comcast Digital Phone (“Comcast”) 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 or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

## **II. INTERCONNECTION AGREEMENT**

CenturyLink presents to the Commission its application pursuant to the terms of the Federal Act. CenturyLink and Comcast entered into an Interconnection Agreement which was approved by the Commission on November 17, 2016 in Docket No. TK-2017-0083.

CenturyLink and Comcast recently entered into the attached FCC Modernizing Unbundling and Resale Requirements Amendment to the Interconnection Agreement, which amends the Agreement entered into by adding terms and conditions for Unbundled Network Elements (UNEs) as set forth in Attachment 1 and Table 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 Agreement 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 Agreement does not discriminate against other carriers who are not a party to the Agreement because the terms of the Agreement are equally available to any other carrier.

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

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

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

**V. CONCLUSION**

WHEREFORE, for the foregoing reasons, CenturyLink requests that the Commission approve the FCC Modernizing Unbundling and Resale Requirements Amendment to the Interconnection Agreement between CenturyLink and Comcast Phone of Missouri LLC d/b/a Comcast Digital Phone.

Respectfully submitted,

/s/ Becky Owenson Kilpatrick

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 12th day of October, 2021, a copy of the above and foregoing Application of CenturyLink for Approval of the FCC Modernizing Unbundling and Resale Requirements Amendment to the Interconnection Agreement was served via email and/or U.S. Mail, postage prepaid, to each of the following:

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