

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

|                              |   |                       |
|------------------------------|---|-----------------------|
| CenturyTel of Missouri, LLC, | ) |                       |
|                              | ) |                       |
| Complainant,                 | ) |                       |
|                              | ) |                       |
| v.                           | ) | Case No. IC-2008-0068 |
|                              | ) |                       |
| Socket Telecom, LLC,         | ) |                       |
|                              | ) |                       |
| Respondent.                  | ) |                       |

**STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission and for its recommendation states:

1. On September 5, 2007, CenturyTel of Missouri, LLC (CenturyTel), filed a complaint with the Missouri Public Service Commission against Socket Telecom, LLC (Socket). CenturyTel “requests that the Commission enforce the terms of the parties’ Interconnection Agreement and issue an Order determining that the Interconnection Agreement provides for the mutual exchange of Local Traffic (including Section 251(b)(5) Traffic and ISP Traffic) at no charge for transport and termination under Section 251(b)(5) of the Act.” (footnotes omitted.)

2. On October 12, 2007, Socket filed its Answer to Complaint and Counterclaim. Socket denies that the agreement provides for the mutual exchange of such traffic at no charge for transport and termination under Section 251(b)(5) of the Act and states that CenturyTel is not entitled to the relief it seeks by its request. Socket seeks a determination and order that the Interconnection Agreement applies reciprocal compensation charges to the parties’ exchange of Local Traffic (including Section 251(b)(5) Traffic and Local ISP Traffic).

3. On October 12, 2007, the Commission directed the Staff to investigate and make a recommendation concerning CenturyTel's complaint and Socket's counterclaim.

4. CenturyTel's complaint and Socket's counterclaim do not allege tariff, rule or statute violations, which are the usual matters for a Staff investigation.

5. The facts - - that Socket is billing CenturyTel reciprocal compensation charges for the exchange of Local Traffic and that CenturyTel has not paid the last seven of nine invoices - - are not in dispute.<sup>1</sup> Given that the parties' dispute is not fact dependent but rather involves the interpretation of the parties' Interconnection Agreement, the Staff recommends that the Commission proceed to schedule a prehearing conference for the parties to develop a proposed procedure. If that procedure calls for the filing of testimony, the Staff would investigate CenturyTel's and Socket's testimony, and then file rebuttal testimony in response.

WHEREFORE, the Staff recommends that the Commission schedule a prehearing conference in this case.

Respectfully submitted,

/s/ William K. Haas

William K. Haas

Deputy General Counsel

Missouri Bar No. 28701

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-7510 (Telephone)

(573) 751-9285 (Fax)

[william.haas@psc.mo.gov](mailto:william.haas@psc.mo.gov)

---

<sup>1</sup> CenturyTel and Socket dispute whether CenturyTel's payment of the first two invoices was a mistake by CenturyTel.

### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 17<sup>th</sup> day of October 2007.

/s/ William K. Haas

William K. Haas