

**Before the Public Service Commission
State of Missouri**

In the Matter of the Application)	
Of Mark Twain Communications)	
Company for a nunc pro tunc)	
Order Specifying the Service Area)	
Of Mark Twain Communications,)	
And redefining the Service Area of)	
Spectra Communications for)	Case No. TO-2006-0100
Purposes of Mark Twain's)	
ETC Service Area and Federal)	
Universal Service Support Pursuant)	
To Section 254 of the Telecommuni-)	
cations Act of 1996.)	

REPLY TO MOTION FOR HEARING

Applicant Mark Twain Communications Company (Mark Twain) makes the following Reply to Spectra Communications Group, LLC d/b/a CenturyTel's (Spectra) September 16, 2005 Motion for Hearing:

Nunc Pro Tunc

1. Mark Twain requests the nunc pro tunc order for the purpose of assuring the Commission's original ETC designation names or specifies the three exchanges for which the Commission originally intended Mark Twain to serve.
2. Spectra in its Motion for Hearing fails to state how it will be adversely effective, or whether or why it is opposed to Mark Twain's request for a nunc pro tunc order correcting the original June 15, 2000 Order granting ETC status to specify the three exchanges for which Mark Twain was so designated. Mark Twain opposes Spectra being made a party with respect to this aspect of the Application.

3. At the time of the original Application for ETC designation, incumbent GTE had the opportunity to intervene in TA-2000-591, but chose not to. As successor to incumbent GTE, Spectra is precluded by collateral estoppel from now contesting that original ETC designation. Spectra is not now entitled to intervene or oppose this aspect of the Application as a party.

4. A nunc pro tunc Order correcting the original failure to specify the three exchanges for which Mark Twain was designated ETC is appropriate without the necessity of a hearing.

5. Mark Twain disagrees with Spectra that a nunc pro tunc Order will “directly affect” Spectra. Spectra’s USF support will not be affected if the requested nunc pro tunc Order is granted.

Redefinition

6. With respect to that aspect of the Application that requests a redefinition of Spectra’s service area for purposes of specifying Mark Twain’s service area, Mark Twain challenges whether Spectra has any interest that will be directly effected, or which is different from that of the general public, if the redefinition is granted. Spectra currently receives USF support for lines and customers in the requested redefinition area, even those currently served by Mark Twain via the facilities that Mark Twain has invested in. If Mark Twain’s redefinition request is granted, Spectra’s support is not subject to being reduced if a service area redefinition is granted.

7. If Mark Twain’s redefinition request is granted, this also will have no effect on Spectra’s service area, or upon Spectra’s study area. Mark Twain suggests that it would be contrary to the public interest for Mark Twain to be denied redefinition, and

therefore denied USF support for the lines it serves, while Spectra would be entitled to continue to receive USF support. Such an untoward result would tilt the competitive playing field in favor of Spectra. Spectra would receive an undue competitive advantage in receiving federal USF funds while its competitor does not.

8. Spectra has a significant competitive advantage over Mark Twain due to Spectra's receipt of USF funds. Mark Twain has made a significant capital investment in plant and switching facilities to serve subscribers in these three exchanges. This Commission should not allow Spectra to intervene or participate as a party without any basis or justification other than delay Mark Twain's receipt of USF funds.

9. Mark Twain directs the Commission to Spectra's September 9, 2005 Application for Competitive Classifications filed in Case No. IO-2006-0108. Spectra has requested competitive classifications for its local residential and business services in the three exchanges in question here; Ewing, LaBelle, and Lewistown. Said Application is scheduled to being granted on or before a procedural schedule may be ordered in this case. Mark Twain suggests that this may result in the competitive playing field being tilted even more in Spectra's advantage. Not only would Spectra enjoy the competitive advantage of receiving USF funds for customers Mark Twain serves, Spectra would also enjoy the ability to lower its rates to market away Mark Twain's existing customers.

10. Mark Twain understands that the Commission must undergo the analysis required by 47 USC 214(e)(5) and 47 CFR 54.207 in order to redefine Spectra's service area for purposes of designating Mark Twain's service area. Mark Twain agrees the Commission should perform this review and make the necessary findings. Mark Twain

agrees a procedural schedule should be established in order to do so. Mark Twain does not agree that Spectra is a party entitled to oppose Mark Twain's request.

11. In the Commission's conduct of the redefinition process, Mark Twain requests that the matters set forth above be included in the "creamskimming" analysis.

12. Even though USAC temporarily discontinued payments to Mark Twain in July of 2003, it was not until August of 2005 that USAC provided Mark Twain with reasons for doing so. Contrary to Spectra's suggestion, Mark Twain did not wait two years to file this proceeding, but filed it within one month of receipt of the USAC letter setting forth USAC's reasons for suspending Mark Twain's USF payments.

WHEREFORE, Mark Twain requests that Spectra be denied intervenor or party status, or that Spectra be denied from opposing the relief requested herein as a party, and that the Commission schedule a prehearing conference for the purpose of establishing a procedural schedule with which to conduct the service area redefinition requested in Mark Twain's Application.

/s/
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was electronically mailed, this _____ day of September, 2005, to the following counsel for the following parties:

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