

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Adoption of an Interconnection)
Agreement with Spectra Communications Group,) **Case No. LO-2004-0448**
LLC, by Big River Telephone Company, LLC.)

SPECTRA COMMUNICATIONS GROUP, LLC'S
COMMENTS IN OPPOSITION
TO THE NOTICE OF ADOPTION OF INTERCONNECTION AGREEMENT

COMES NOW Spectra Communications Group, LLC ("Spectra"), pursuant to the Missouri Public Service Commission's ("Commission") *Order Directing Notice And Making Spectra Communications Group, LLC A Party* entered in this matter on March 12, 2004 ("March 12 Order"), and respectfully offers its Comments in Opposition to the Notice of Adoption of Interconnection Agreement as filed by Big River Telephone Company, LLC ("Big River"). In support of its opposition to the Notice of Adoption, Spectra states as follows:

1. On March 2, 2004, Big River filed a Notice of Adoption of Interconnection Agreement with the Commission stating its intention to adopt the interconnection agreement entered into between Spectra and Chariton Valley Telecom Corporation, which was approved by the Commission in Case No. CK-2003-0104. As noted in the Commission's March 12 Order, "Although Spectra is a party to the adoption of the agreement, it did not join in the Notice of Adoption. Because it is a necessary party to a full and fair adjudication of this matter, the Commission will add Spectra as a party to this case." (March 12 Order at 1). In addition, the Commission found that

proper persons should be allowed 20 days from the issuance of its Order to file comments about the Notice of Adoption.

2. On February 6, 2004, Spectra sent its standard Section 252(i) adoption letter (“Adoption Letter”) to Big River acknowledging receipt of Big River’s notice that, under Section 252(i) of the Telecommunications Act of 1996 (“the Act”), Big River wished to adopt the terms of the above-referenced Interconnection, Resale and Unbundling Agreement between Spectra and Chariton Valley Telecom Corporation. On an informal basis, and in response to requests from Big River, Spectra previously had provided copies of approved agreements for Big River’s consideration. Spectra requested that Big River countersign the Adoption Letter, thereby confirming its agreement with the standard provisions set forth therein.

3. Spectra would note that it has consistently used this standard Adoption Letter in Missouri and other jurisdictions¹. This Commission has routinely issued its Orders Recognizing Adoption of Interconnection Agreements, based on Staff’s recommendations of approval, where such Adoption Letters were filed with, and incorporated by reference, in the Notice of Adoptions filed by Spectra. Indeed, such Orders have been issued this very week.²

4. Big River never responded to the formal Adoption Letter of February 6, but rather unilaterally filed its Notice of Adoption with the Commission on March 2, 2004.³ While some of the limited number of provisions set forth in the Adoption Letter

¹ Spectra understands that its predecessor, Verizon Midwest, used similar adoption letters as well.

² Mo.P.S.C. Case Nos. IO-2004-0425 and IO-2004-0424.

³ As reflected in its Certificate of Service, Big River did serve Spectra and undersigned counsel with a copy of the Notice of Adoption.

were “acknowledged” by Big River in its Notice of Adoption, others were significantly altered or ignored.

5. Spectra does not file these Comments in Opposition to unduly delay this matter or prejudice Big River’s ability to utilize its expanded certificate obtained in Case No. LA-2003-0551, *In the Matter of the Application of Big River Telephone Company, LLC to Expand its Certificate of Basic Local Service Authority to include provision of Basic Local Exchange Telecommunications Service in CenturyTel and Spectra Exchanges and to Continue to Classify the Company and its Services as Competitive*. However, Spectra believes that legitimate provisions regarding Big River’s adoption of the underlying agreement must be addressed prior to any further Commission action herein.

6. Accordingly, Spectra requests that the Commission schedule an early prehearing conference in this matter, to allow the parties to address and, hopefully resolve, such issues.

WHEREFORE, Spectra Communications Group, LLC respectfully submits its Comments in Opposition to the Notice of Adoption of Interconnection Agreement filed by Big River in this matter.

Respectfully submitted,

/s/ Larry W. Dority

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 1st day of April, 2004, to:

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/s/ Larry W. Dority

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