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November 25, 2002

FILED³

NOV 25 2002

Secretary of the Commission
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

**Missouri Public
Service Commission**

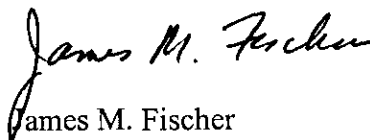
RE: *In the matter of the Petition of Spectra Communications Group, L.L.C. d/b/a CenturyTel Regarding Price Cap Regulation Under Section 392.245, RSMo 2000, Case No. IO-2003-0132.*

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of the Response To Staff Recommendation filed on behalf of Spectra Communications Group L.L.C. d/b/a CenturyTel.. A copy of the foregoing Response To Staff Recommendation has been hand-delivered, emailed, and/or mailed this date to parties of record.

Thank you for your attention to this matter.

Sincerely,


James M. Fischer

Enclosures

cc: Michael Dandino, Office of the Public Counsel
David Meyer, Associate General Counsel

FILED³

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

NOV 25 2002

Missouri Public
Service Commission

In the matter of the Petition of Spectra)
Communications Group, LLC d/b/a CenturyTel)
Regarding Price Cap Regulation)
Under Section 392.245 RSMo 2000)

Case No. IO-2003-0132

RESPONSE TO STAFF RECOMMENDATION

Comes now Spectra Communications Group, LLC d/b/a CenturyTel ("Spectra"), and pursuant to the Commission's Order Directing Filing issued on October 30, 2002, and 4 CSR 240-2.080, respectfully responds to the Staff Recommendation filed on November 1, 2002, as follows:

1. On October 30, 2002, the Commission issued its Order Directing Filing in which it directed Staff to file its Staff Recommendation in this matter no later than November 20, 2002, and directed responses to the Staff Recommendation to be filed no later than November 30, 2002.

2. On November 1, 2002, the Staff filed its Staff Recommendation and made the following recommendation:

Staff respectfully recommends that the Commission determine pursuant to Section 392.245.2 that an alternative local exchange telecommunications company has been certified to provide basic local telecommunications service and is providing such service within part of Spectra's service area, deny the *Office of the Public Counsel's Request for an Evidentiary Hearing*, and grant its approval of Spectra's petition.

3. After reviewing the Staff Recommendation, Spectra believes that the Commission should adopt the Staff Recommendation. The Staff has conducted a thorough investigation of the underlying facts of Spectra's Petition by contacting Mark Twain Communications, Spectra's

competitor for basic local exchange service, to confirm that the requirements of Section 392.245.2 RSMo. 2000 have been met. Based upon results of the investigation, the Staff has found and concluded:

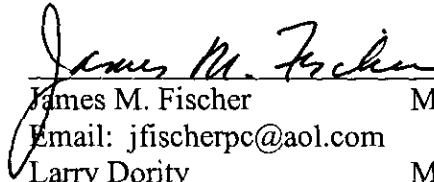
As a result, Staff believes that Mark Twain has not only the authority to provide service in Spectra's service area, but is also in fact doing so. Mark Twain has responded to Staff's Data Request that as of October 2002, it serves 784 full facility-based residential voice grade equivalent lines and 250 full facility-based business voice grade equivalent lines in the Spectra service area. Staff recommends that the Commission determine that this service is of the nature anticipated by the legislature in Section 392.245.2 to give rise to price cap status, and grant Spectra price cap status.

4. In response to the Office of the Public Counsel's Request For An Evidentiary Hearing, and as fully set forth in the Staff's response thereto, the Cole County Circuit Court has found that proceedings under Section 392.245.2 are not "contested cases" and do not require notice and hearing before the Commission makes its determinations in response to a large incumbent local exchange telecommunications company's price cap application.¹ More importantly, since there are no facts in dispute, Spectra believes that it would serve no useful purpose to conduct an evidentiary hearing in this matter.

¹ *State of Missouri, ex rel. Public Counsel Martha S. Hogerty v. The Public Serv. Comm'n of the State of Mo., et al.*, Cause No. CV199-282CC (Cole Co. Cir. Ct., July 27, 1999) (attached as Appendix A to Staff's Response to Spectra Petition and Office of Public Counsel Request for an Evidentiary Hearing).

WHEREFORE, for all the foregoing reasons, Spectra respectfully requests this Commission adopt the Staff Recommendation and make the determination required by Section 392.245.2 that Spectra is subject to price cap regulation.

Respectfully submitted,



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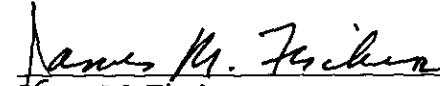
Attorneys for Spectra Communications Group, LLC
d/b/a CenturyTel

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was hand-delivered, emailed or mailed this 25th day of November, 2002 to:

Mr. Mike Dandino
Assistant Public Counsel
Office of the Public Counsel
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Jefferson City, Missouri 65102

David A. Meyer
Associate General Counsel
Missouri Public Service Commission
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