

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 27th day
of November, 2007.

In the Matter of the Review of the Competitive)	
Classification of the Exchanges of Spectra)	<u>Case No. IO-2008-0097</u>
Communications Group, LLC, d/b/a Spectra.)	

ORDER GRANTING REQUEST FOR EVIDENTIARY HEARING

Issue Date: November 27, 2007

Effective Date: November 27, 2007

On October 4, 2007, the Staff of the Missouri Public Service Commission filed a report pursuant to Section 392.245.5, RSMo Supp. 2006, regarding continued competitive classification for Spectra Communications Group, LLC, d/b/a CenturyTel's competitively classified exchanges. Staff concluded that competitive conditions continue to exist in Spectra's competitively classified exchanges and recommended that the Commission make a finding of that fact. The Commission established October 30, 2007, as the deadline for the filing of applications to intervene. No such applications were filed. On October 30, 2007, the Office of the Public Counsel filed a request for an evidentiary hearing regarding Staff's report.

Public Counsel does not take issue with any detail of Staff's report and indicates it has not made an independent investigation of the state of competition in Spectra's exchanges. However, Public Counsel asks the Commission to require strict proof of the competition faced by Spectra in the competitively classified exchanges.

Spectra filed a reply to Public Counsel's request for hearing, contending that the standard for determining whether competition continues to exist in the exchanges classified as competitive is very straightforward and objective. Spectra argues Staff's verified report is sufficient to establish compliance with that standard and that no hearing is required for the Commission to accept that report.

Spectra correctly points out that the statutorily established standard for determining whether competition continues to exist in those Spectra exchanges previously designated as competitive is very straightforward. Competition is defined to exist in those exchanges if at least two nonaffiliated entities in addition to the incumbent local exchange company are providing basic local telecommunications service to customers. Staff's report indicates the statutory standard continues to be met in Spectra's competitively classified exchanges. However, the Commission cannot simply assume that Staff's report is accurate in the face of Public Counsel's objection and demand for hearing.

Since Public Counsel has requested a hearing, the Commission will hold a hearing. So that the parties can discuss the scheduling of that hearing, a procedural conference has been scheduled on November 27, 2007.

IT IS ORDERED THAT:

1. The Office of the Public Counsel's request for hearing is granted.

2. This order shall become effective on November 27, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Clayton, and Appling, CC., concur.
Murray, C., dissents.
Jarrett, C., dissents, with separate dissenting
opinion to follow.

Dippell, Deputy Chief Regulatory Law Judge