OF THE STATE OF MISSOURI

In the Matter of Spectra Communications Group, LLC, d/b/a CenturyTel's Request for Competitive Classification of Business Services in Certain Exchanges Pursuant to Section 392.245.5, RSMo, as Amended by H.B. 1779.

<u>Case No. IO-2009-0125</u> Tariff No. YI-2009-0241

ORDER DIRECTING NOTICE AND DIRECTING FILING

Issue Date: October 7, 2008 Effective Date: October 7, 2008

On October 3, 2008, Spectra Communications Group, LLC, d/b/a Spectra, filed its Application for Competitive Classification pursuant to Section 392.245.5, RSMo.¹ In its application, Spectra requests that the Commission classify all of Spectra's business services, other than exchange access service, in the following exchanges: (1) Aurora, (2) Brunswick, (3) Cameron, (4) Everton, (5) Golden City, (6) Greenfield, (7) Lawson, (8) Mt. Vernon, (9) Sarcoxie, and (10) Savannah. Concurrent with its application, Spectra filed a tariff amendment with an effective date of November 2, 2008.

Upon the filing of a petition of a company subject to regulation under Section 392.245 for competitive classification pursuant to Subsection 392.245.5, the Commission must determine if "there are at least two entities providing basic local telecommunications service in an exchange and if so" the Commission shall approve the application and tariffs within 30 days. Because of the need to proceed expeditiously, the Commission will issue notice, set a time for any objections to the application or requests for

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¹ Section 392.245 was recently amended by H.B. 1779, effective August 28, 2008. All statutory citations are to the Revised Statutes of Missouri as amended by H.B. 1779, unless otherwise indicated.

a hearing to be filed, and set a time for a recommendation from the Staff of the Commission. If no proper person requests a hearing, the Commission may make its decision based on the verified application and other filings in the case. ²

THE COMMISSION ORDERS THAT:

- 1. The Data Center of the Missouri Public Service Commission shall send notice of this application to all certificated competitive local exchange carriers and to all incumbent local exchange carriers in the state of Missouri.
- 2. The Public Information Office of the Missouri Public Service Commission shall provide notice of the application to the members of the General Assembly and to the news media.
- 3. Any party wishing to object to this application or to request a hearing in this matter must file a request to do so no later than October 14, 2008, with:

Colleen M. Dale, Secretary Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102-0360

and send copies to:

Larry W. Dority
FISCHER & DORITY, P.C.
101 Madison Street, Suite 400
Jefferson City, Missouri 65101

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

and to:

Office of the Public Counsel Post Office Box 2230 Jefferson City, Missouri 65102-2230

² State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Comm'n, 776 S.W.2d 494, 495-496 (Mo. App. 1989).

- 4. The Staff of the Missouri Public Service Commission shall file a recommendation or any objections to the petition no later than October 20, 2008.
 - 5. This order is effective upon issuance.

BY THE COMMISSION

Colleen M. Dale Secretary

(SEAL)

Nancy Dippell, Deputy Chief Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 7th day of October, 2008.