

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In The Matter of Embarq Missouri, Inc.)	
Application for Competitive Classification)	Case No. TO-2008-0147
Under Section 392.245.5 RSMo. (2005))	

**SECOND AMENDED APPLICATION
FOR COMPETITIVE CLASSIFICATION**

COMES NOW Embarq Missouri, Inc. (“Embarq”) and hereby requests the Commission approve Embarq’s Second Amended Application for Competitive Classification Under Section 392.245.5 RSMo. (2005). Embarq is seeking competitive classification for all residential services, other than exchange access services, offered in its Ft. Leonard Wood, St. Robert, and Waynesville exchanges. In addition, Embarq is seeking competitive classification for all business services, other than exchange access services, offered in its Warrensburg exchange. In support of its Second Amended Application, Embarq states as follows:

1. Embarq is a public utility, and a telecommunications company, as those terms are defined in Section 386.020(42) and (51), RSMo 2000. Embarq is a large incumbent local exchange telecommunications company and is subject to Price Cap Regulation under Section 392.245.

2. Missouri Revised Statutes §392.245.5 (2005) allows carriers subject to Price Cap Regulation to seek competitive classification for each telecommunications service offered to business and residential customers, other than exchange access service, in any exchange in which at least two non-affiliated entities are providing basic local telecommunications service to customers within the exchange.

3. Embarq faces growing and intense residential competition from two or more non-affiliated entities in its Ft. Leonard Wood, St. Robert, and Waynesville exchanges. Furthermore, Embarq faces growing business competition from two or more non-affiliated entities in its Warrensburg exchange. More specifically, Embarq faces competition from numerous non-affiliated wireless providers and from wireline carriers using their own facilities, in whole or in part, to provide basic local telecommunications services.

4. Section 392.245.5(1) RSMo. (2005) recognizes that commercial mobile service providers shall be considered as entities providing basic local telecommunications service, provided that only one such non-affiliated provider shall be considered as providing basic local telecommunications service within an exchange. Embarq has numerous non-affiliated wireless providers operating in its Ft. Leonard Wood, St. Robert, Warrensburg and Waynesville exchanges providing basic local telecommunications service. The following wireless carriers are each providing basic local telecommunications service to business and residential customers in Embarq's Ft. Leonard Wood, St. Robert, Warrensburg and Waynesville exchanges: Sprint Nextel (www.sprint.com), AT&T Wireless (www.wireless.att.com), Verizon (www.verizon.com), Alltel (www.alltel.com), T-Mobile (www.t-mobile.com), and US Cellular (www.uscc.com).

5. Section 392.245.5(2) RSMo (2005), recognizes any entity providing local voice service in whole or in part over telecommunications facilities it owns as an entity that provides basic local telecommunications services in competition with Embarq. AT&T Communications of the Southwest ("AT&T"), Fidelity Communications Services I ("Fidelity"), EXOP of Missouri, Inc. ("EXOP"), Granite Telecommunications, LLC ("Granite") Time Warner Cable ("Time Warner"), Comcast Phone of Missouri, LLC ("Comcast"), Socket Telecom, LLC

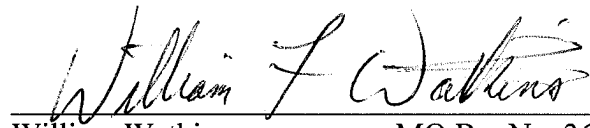
("Socket") and MMC Telephony of Missouri, Inc. ("Mediacom") each offer local phone service in direct competition with Embarq. Embarq has experienced residential customer loss in its Ft. Leonard Wood, St. Robert, and Waynesville exchanges as a direct result of competitive entry by Comcast, Fidelity, EXOP, Mediacom and Time Warner. Embarq has experienced business customer loss in its Warrensburg exchange as a direct result of competitive entry by Time Warner, Comcast, AT&T, and Socket.

6. Embarq's Second Amended Application for Competitive Classification does not request any price changes. In fact, Embarq acknowledges that all rates currently in effect for these exchanges will remain in effect until such time Embarq files a tariff requesting a price change. Under current law, Embarq will be required to file tariffs for any future price changes, either increases or decreases, associated with these exchanges which will continue to require Commission approval. Furthermore, Embarq will be required to notify its customers of any future price increase.

WHEREFORE Embarq respectfully requests the Commission approve Embarq's Second Amended Application for Competitive Classification pursuant to Section 392.245.5 RSMo (2005). Embarq has identified that at least two non-affiliated entities that are providing basic local telecommunications service to residential customers within its Ft. Leonard Wood, St. Robert, and Waynesville exchanges. Embarq has identified that at least two non-affiliated entities are providing basic local telecommunications service to business customers within its Warrensburg exchange. Embarq's Second Amended Application meets the statutory requirements for competitive classification and should become effective in no more than 30 days.

Respectfully submitted,

EMBARQ MISSOURI, INC.

A handwritten signature in black ink, reading "William F. Watkins". The signature is written in a cursive style with a horizontal line underneath it.

William Watkins

MO Bar No. 36112

5454 West 110th Street

KSOPKJ0401

Overland, Park, KS 66211

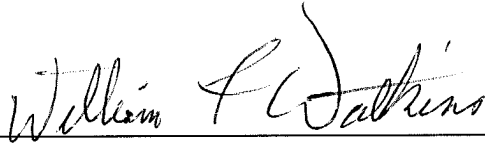
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VERIFICATION

I, William Watkins, an attorney and duly authorized representative of Embark Missouri, Inc. hereby verify and affirm that I have read the foregoing Application for Competitive Classification and that the statements contained therein are true and correct to the best of my information and belief.



William Watkins

Subscribed and sworn to before me on this 19th day of November 2007.

My Appointment Expires:





Notary Public in and for said
County and State

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 19th day of November 2007, a copy of the above and foregoing document was served via electronic mail, facsimile or U.S. Mail, postage prepaid to each of the following:

William K. Haas
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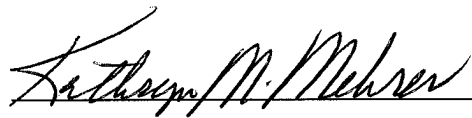


Exhibit A

GENERAL EXCHANGE TARIFF

Embarq Missouri, Inc.
d/b/a Embarq

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Cancels Sixth Revised Page 23

LOCAL EXCHANGE SERVICE RATE GROUPS

X. COMPETITIVE EXCHANGES

The following exchanges are classified as competitive:

A. Residence

Buckner ⁽⁴⁾	Oak Grove ⁽⁴⁾	
Ferrelview ⁽²⁾	Odessa ⁽⁴⁾	
Ft. Leonard Wood ⁽⁷⁾	Platte City ⁽²⁾	(N)
Jefferson City ⁽³⁾	Pleasant Hill ⁽⁴⁾	
Kearney ⁽¹⁾	Rolla ⁽¹⁾	
Lake Lotawana ⁽⁴⁾	St. Robert ⁽⁷⁾	(N)
Lebanon ⁽⁶⁾	Waynesville ⁽⁷⁾	(N)
Norborne ⁽¹⁾	Weston ⁽²⁾	

B. Business

Ferrelview ⁽²⁾	Platte City ⁽²⁾	
Jefferson City ⁽³⁾	Rolla ⁽¹⁾	
Kearney ⁽¹⁾	St. Robert ⁽²⁾	
Lebanon ⁽⁵⁾	Warrensburg ⁽⁷⁾	(N)
Norborne ⁽¹⁾	Waynesville ⁽²⁾	

All services in competitive exchanges are eligible for exchange-specific pricing, *except* for those services otherwise specified in Section 51 of this Tariff. When exchange-specific rates do apply, those competitive exchanges with rates that differ from those of non-competitive exchanges will be listed for that given service. It is therefore possible for the competitive exchange listings to vary by service.

- (1) Competitive Service Classification pursuant to MO PSC Order of December 4, 2003, in Case No. IO-2003-0281.
- (2) Competitive Service Classification pursuant to Case No. IO-2006-0092, effective August 28, 2005.
- (3) Competitive Service Classification pursuant to Case No. TO-2006-0375, effective May 1, 2006.
- (4) Competitive Service Classification pursuant to Case No. IO-2006-0551, effective July 31, 2006.
- (5) Competitive Service Classification pursuant to Case No. TO-2007-0301, effective March 10, 2007.
- (6) Competitive Service Classification pursuant to Case No. TO-2008-0028, effective August 30, 2007.
- (7) **Competitive Service Classification pursuant to Case No. TO-2008-0147, effective December 6, 2007.**

(N)
(N)

ISSUED:
November 6, 2007

BY: Darlene N. Terry
Manager - Tariffs
5454 W. 110th Street
Overland Park, Kansas 66211

EFFECTIVE:
December 6, 2007