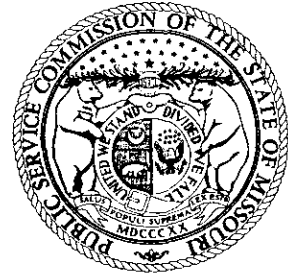


## Notice of *Ex Parte* Contact

TO: Data Center  
All Parties in Case No. **IO-2008-0092**  
**IO-2008-0096**  
**IO-2008-0097**  
**TO-2007-0053**

FROM: Chairman Jeff Davis

DATE: December 17, 2007



Two weeks ago, I asked Natelle Dietrich to prepare the attached report. She delivered the report to me late last week and I just got around to reviewing it this morning in advance of the CenturyTel/Spectra hearing scheduled for later this week. Since the information contained herein relates to contested cases, **IO-2008-0092, IO-2008-0096, IO-2008-0097 and TO-2007-0053**, and the Commission is bound by the same *ex parte* rule as a court of law, I am making notice to the parties this communication has been received.

Although communications from members of the public and members of the legislature are always welcome, those communications must be made known to all parties to a contested case so that those parties have the opportunity to respond. According to the Commission's rules (4 CSR 240-4.020(8)), when a communication (either oral or written) occurs outside the hearing process, any member of the Commission or Regulatory Law Judge who received the communication shall prepare a written report concerning the communication and submit it to each member of the Commission and the parties to the case. The report shall identify the person(s) who participated in the *ex parte* communication, the circumstances which resulted in the communication, the substance of the communication, and the relationship of the communication to a particular matter at issue before the Commission.

Therefore, we submit this report pursuant to the rules cited above. This will ensure that any party to this case will have notice of the attached information and a full and fair opportunity to respond to the comments contained therein.

cc: Commissioners  
Executive Director  
Secretary/Chief Regulatory Law Judge  
General Counsel

## Landline Local Voice Competition in Missouri

<i>Number of Exchanges (Residential Service)</i>						
Classification	AT&T	CenturyTel (Spectra)	CenturyTel Missouri	Embarq	Other ILECs <sup>1</sup>	Total
Competitive <sup>2</sup>	77	13	16	16	0	122
Non-Competitive	83	94	80	63	260	580
Totals	160	107	96	79	260	702

<i>Number of Exchanges (Business Service)</i>						
Classification	AT&T	CenturyTel (Spectra)	CenturyTel Missouri	Embarq	Other ILECs	Total
Competitive	75	4	10	10	0	99
Non-Competitive	85	103	86	69	260	603
Totals	160	107	96	79	260	702

<i>Presence of a Facility-Based<sup>3</sup> CLEC<sup>4</sup></i>		
	<i>Residential</i>	<i>Business</i>
Competitive Exchanges with a Facility-Based CLEC	102	92
Non-Competitive Exchanges with a Facility-Based CLEC	22	46
Competitive Exchanges with No Facility-Based CLEC	20	7
Non-Competitive Exchanges with No Facility-Based CLEC	558	557
Totals	702	702

<i>Number of Lines in Competitively-Classified Exchanges</i>						
	<i>Residential</i>			<i>Business</i>		
	2004	2005	2006	2004	2005	2006
CLECs	96,916	206,065	227,766	67,838	219,263	206,143
ILECs	1,549,393	1,458,332	1,371,004	757,895	776,145	770,739
Totals	1,646,309	1,664,397	1,598,770	825,733	995,408	976,882

<i>Number of Competitively-Classified Exchanges based on the ILEC Line Percentage</i>							
<i>ILEC's Percentage of all landlines within the exchange</i>	<i>Residential</i>			<i>Business</i>			
	2004	2005	2006	2004	2005	2006	
95% or more	70	65	59	22	21	26	
90% to 94.5%	25	21	18	17	19	18	
75% to 89.9%	18	22	28	40	38	36	
50% to 74.9%	5	9	9	14	15	13	
49.9% or less	4	5	8	6	6	6	
Totals	122	122	122	99	99	99	

<i>Percentage of ILEC Lines Compared to All Lines in Competitive Exchanges</i>				
Type of Service	AT&T	CenturyTel (Spectra)	CenturyTel Missouri	Embarq
Residential	87%	86%	80%	81%
Business	77%	48%	92%	91%

<i>Percentage of ILEC Versus CLEC Lines Among All Lines in All Exchanges in Missouri</i>		
Type of Service	ILECs	CLECs
Residential	89%	11%
Business	84%	16%

<sup>1</sup> ILEC refers to Incumbent Local Exchange Carrier. There are 43 ILECs in Missouri.

<sup>2</sup> Competitive classification allows a company to raise rates on 10 days' notice to customers and Commission and lower rates on 1 day's notice to Commission.

<sup>3</sup> Facility-Based means that a CLEC providing local services owns switching facilities, outside plant facilities, or both.

<sup>4</sup> CLEC refers to Competitive Local Exchange Carrier. All services offered by such a company are competitive.