

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

Socket Telecom, LLC,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2007-0341
)	
CenturyTel of Missouri, LLC and)	
Spectra Communications Group, LLC,)	
d/b/a CenturyTel,)	
)	
Respondents.)	

REPLY TO SOCKET TELECOM'S RESPONSE

COME NOW CenturyTel of Missouri, LLC and Spectra Communications Group, LLC d/b/a CenturyTel (collectively "Respondents"), pursuant to 4 CSR 240-2.080(15), and for their *Reply* to Socket Telecom's ("Socket's") *Response* filed on March 18, 2008, respectfully state as follows:

1. The Commission's March 8, 2008 *Order Directing Filing* instructed Socket Telecom, LLC ("Socket") to file the minutes of the July 10, 2007 LNPA-WG meeting and the LNPA-WG best practices document that incorporated PIM-60, as a late-filed exhibit in this matter. The *Order* also provided that Respondents should file their objections to Socket's filing, if any, no later than March 14, 2008. Socket filed its Response to Order Directing Filing on March 4, 2008 and Respondents timely filed their objections as directed.

2. On March 18, 2008, Socket filed another pleading to which was attached yet another lengthy affidavit of Mr. Kohly. 4 CSR 240-2.080(15) allows parties ten days to

respond to any pleading. This *Reply* is being filed well within the rule's ten day period and therefore is timely filed.

3. Mr. Kohly's most recent affidavit is yet another improper attempt to offer additional testimony after the evidentiary record is closed in contravention of Commission rules and practice. The purported "evidence" contained in the affidavit obviously is not subject to cross examination, and therefore, the Commission cannot consider it without violating Respondents' due process rights. Respondents continue to strenuously object to the Commission's consideration of *all* of Socket's post-record submissions, including its latest, but once again cannot allow Socket's mischaracterizations and erroneous allegations to go unanswered.

4. In paragraph 3 of its March 18, 2008 pleading, Socket again claims that the ports in question "are not location ports". Because the two customers in question want to physically relocate from their existing rural exchanges (served by Respondents) half way across the state to a metropolitan St. Louis exchange (served by AT&T), the ports in question are in fact "location ports". Currently applicable federal law does not require location porting in the wireline-to-wireline setting. A contrary finding by the Commission on both of these points would be clear error.

5. With respect to paragraphs 4 and 5, Socket cleverly but erroneously equates the LNPA-WG's "Best Practices" as being the same as "industry agreed-upon practices". Beyond Socket taking the phrase "industry agreed-upon practices" entirely out of context, and the fact that the LNPA-WG's actions with respect to PIM-60/Best Practice 50 are not in any way final let alone legally binding on Respondents, the phrase "Best Practice" simply is *not* the same as the phrase "industry agreed-upon practice". The ICAs' phrase

“industry agreed-upon practices” clearly contemplates that there must be an *agreement* within the industry. Not only have Respondents strongly contested and continue to contest PIM-60, no less than fifty (50) other rural incumbent local exchange carriers joined Respondents in contesting PIM-60 at the March 12, 2008 LNPA-WG meeting¹. Obviously there is no “agreement”, let alone an industry consensus. Moreover, the phrase “Best Practices” itself is nowhere to be found in the ICAs nor is any reference made to the LNPA-WG. If the parties had intended to use the phrase “Best Practice” or reference the LNPA-WG in the ICAs, presumably they would have done so.

6. Finally, Socket admits in paragraph 6 that “Best Practice 50” has been modified and is still subject to further revisions at the next LNPA-WG meeting in May. There is no record evidence that Socket’s specific porting requests met all the criteria of the original PIM-60, let alone that Socket’s porting requests will meet the further criteria which as of today are not, and cannot be, even known.

WHEREFORE, Respondents submit this Reply to Socket Telecom’s March 18, 2008 submission.

¹ Nowhere in Mr. Kohly’s lengthy affidavit does he advise the Commission of the rural ILECs’ strong opposition despite Socket’s claim that Socket “has strived to keep the Commission fully informed”.

Respectfully submitted,

/s/ Charles Brent Stewart

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by electronic mail or mailed, First Class postage prepaid, to the attorneys of all parties of record in Case No. TC-2007-0341 on the 25th day of March 2008.

/s/ Charles Brent Stewart
