

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

In The Matter of CenturyTel of Missouri,)
LLC's Request for Competitive) Case No.
Classification Pursuant to Section)
392.245.5, RSMo.)

**CENTURYTEL OF MISSOURI, LLC'S
APPLICATION FOR COMPETITIVE CLASSIFICATION**

COMES NOW CenturyTel of Missouri, LLC ("CenturyTel"), pursuant to Section 392.245.5 RSMo., and hereby requests that the Commission conduct a 30-day competitive classification review pursuant to Section 392.245.5(6) RSMo. and approve CenturyTel's Application for Competitive Classification for all its residential services, other than exchange access service, for the following exchanges: (a) Bourbon, (b) Branson, (c) Cabool, (d) Cassville, (e) Cuba, (f) Forsyth, (g) Kimberling City, (h) Mansfield, and (i) Troy; and for all of its business services, other than exchange access services, in the following exchanges: (a) Branson, (b) Crane, (c) Marshfield, (d) Ozark and (e) Troy. Concurrent with the filing of this Application, CenturyTel is filing proposed tariffs, with thirty day effective dates, reflecting grants of the requested competitive classification. In support of its Application, CenturyTel states as follows:

1. CenturyTel is a Louisiana limited liability corporation that is duly authorized to do business in the state of Missouri. Copies of CenturyTel's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State were filed in Case No. TM-2002-232, and are incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). CenturyTel is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide

“telecommunications service” within the State of Missouri as each of those terms is defined in Section 386.020, RSMo. 2000. Pursuant to the Commission’s *Report and Order* issued in Case No. TM-2002-232, CenturyTel is a large incumbent local exchange carrier subject to Price Cap Regulation under Section 392.245 RSMo.

2. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to:

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3. CenturyTel has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

4. Missouri statute Section 392.245.5 RSMo., 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. CenturyTel respectfully submits that all the exchanges listed above meet the requisite criteria set out in Section 392.245.5 RSMo. Specifically, at least one non-affiliated wireless carrier is providing

service in all the exchanges. In addition, CenturyTel's primary wireline competitors in these exchanges are facilities-based CLECs or cable operators that are providing local phone service via their own facilities over the same cable which provides cable-TV/cable-broadband service. Exhibit A is a matrix depicting the various non-affiliated entities providing services in the subject CenturyTel exchanges.

Section 392.245.5 RSMo., states as follows:

5. Each telecommunications service offered to business customers, other than exchange access service, of an incumbent local exchange telecommunications company regulated under this section shall be classified as competitive in any exchange in which at least two non-affiliated entities in addition to the incumbent local exchange company are providing basic local telecommunications service to business customers within the exchange. Each telecommunications service offered to residential customers, other than exchange access service, of an incumbent local exchange telecommunications company regulated under this section shall be classified as competitive in an exchange in which at least two non-affiliated entities in addition to the incumbent local exchange company are providing basic local telecommunications service to residential customers within the exchange. For purposes of this subsection:

(1) Commercial mobile service providers as identified in 47 U.S.C. Section 332(d)(1) and 47 C.F.R. Parts 22 or 24 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;

(2) Any entity providing local voice service in whole or in part over telecommunications facilities or other facilities in which it or one of its affiliates have an ownership interest shall be considered as a basic local telecommunications service provider regardless of whether such entity is subject to regulation by the commission. A provider of local voice service that requires the use of a third party, unaffiliated broadband network or dial-up Internet network for the origination of local voice service shall not be considered a basic local telecommunications service provider. For purposes of this subsection only, a broadband network is defined as a connection that delivers services at speeds exceeding two hundred kilobits per second in at least one direction;

(3) Regardless of the technology utilized, local voice service shall mean two-way voice service capable of receiving calls from a provider of basic local telecommunications services as defined by subdivision (4) of section 386.020, RSMo;

(4) Telecommunications companies only offering prepaid telecommunications service or only reselling telecommunications service as defined in subdivision (46) of section 386.020, RSMo, in the exchange being considered for competitive classification shall not be considered entities providing basic telecommunications service; and

(5) Prepaid telecommunications service shall mean a local service for which payment is made in advance that excludes access to operator assistance and long distance service;

(6) Upon request of an incumbent local exchange telecommunications company seeking competitive classification of business service or residential service, or both, the commission shall, within thirty days of the request, determine whether the requisite number of entities are providing basic local telecommunications service to business or residential customers, or both, in an exchange and if so, shall approve tariffs designating all such business or residential services other than exchange access service, as competitive within such exchange.

5. Section 392.245.5(1) RSMo. states 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. CenturyTel has numerous non-affiliated wireless providers operating in its exchanges providing local service. Exhibits B through M identify wireless carriers, including (a) Cingular, (b) Verizon, (c) T-Mobile, (d) Alltel, (e) US Cellular, and (f) Sprint/Nextel providing local service in the above CenturyTel exchanges. (See Exhibits B through M for Wireless Carriers Operating in CenturyTel Exchanges.)

6. Section 392.245.5(2) RSMo. allows any wireline carrier providing local phone service in whole or in part over telecommunications facilities it owns to be considered as entities providing basic local telecommunications service, including cable operators that are also providing local phone service. Specific to this Application, Charter Fiberlink-Missouri, LLC ("Charter") is providing residential phone service, using

facilities it owns in part or whole, in the following CenturyTel exchanges: (a) Bourbon, (b) Cuba and (c) Troy. Fidelity Communications Services II, Inc. ("Fidelity") is providing residential phone service, using facilities it owns in part or whole, in the following CenturyTel exchanges: (a) Bourbon and (b) Cuba. MCC Telephony of Missouri, Inc. ("Mediacom") is providing residential phone service, using facilities it owns in part or whole, in the following CenturyTel exchanges: (a) Cabool, (b) Cassville, (c) Forsyth, (d) Kimberling City and (e) Mansfield; and business phone service, using facilities it owns in part or whole, in the CenturyTel exchange of Marshfield. Level 3 Communications, LLC ("Level 3") is providing business phone service, using facilities it owns in part or whole, in the CenturyTel exchanges of (a) Branson and (b) Crane; and residential phone service, using facilities it owns in part or whole in the CenturyTel exchange of Branson. Socket Telecom, LLC ("Socket") is providing business phone service, using facilities it owns in part or whole, in the CenturyTel exchange of Troy. Finally, NuVox Communications of Missouri, Inc., ("NuVox") is providing business phone service, using facilities it owns in part or whole, in the following CenturyTel exchanges: (a) Branson and (b) Ozark. Each of these carriers is discussed in detail below:

- a. Charter Fiberlink-Missouri, LLC ("Charter") provides local phone service to residential customers in direct competition with CenturyTel in the following CenturyTel exchanges: (a) Bourbon, (b) Cuba and (c) Troy.

- i. Charter obtained a Certificate to Provide Basic Local and Interexchange Telecommunications Services within Missouri, including the exchanges now owned by CenturyTel, on April 5, 2001 (Case No. TA-2001-346).

- ii. Charter is not a reseller of CenturyTel's services but uses its own facilities. Charter has its own facilities extensively deployed throughout the above-mentioned exchanges.
- iii. Based upon Charter's website, it is providing residential service in the following CenturyTel exchanges:¹ (a) Bourbon, (b) Cuba and (c) Troy. (*See* Exhibits B(Sec.1), G(Sec.1) and M(Sec.1)).
- iv. Upon information and belief, CenturyTel would expect that Charter's 2006 Annual Report identifies local residential customers in the CenturyTel exchanges of Bourbon, Cuba and Troy, and that the Annual report would further reflect that Charter continues to provide service in these exchanges with its own facilities. However, Charter's 2006 Annual Report is filed on a Highly Confidential basis. Accordingly, pursuant to Section 392.245.5(6), CenturyTel respectfully requests that the Commission consider its own records concerning ownership of facilities, including the 2006 Annual Report of Charter Fiberlink-Missouri, LLC. CenturyTel will cooperate with the Commission's Staff to facilitate the Commission in "making all inquiries as are necessary and appropriate from regulated providers of local voice service to determine the extent and presence of regulated local voice providers in an exchange."

¹ Charter's website allows a customer to search for service and rates within a particular zip code. The printouts found in Exhibits B, G and M, reflect the services and pricing available in the CenturyTel exchanges of Bourbon, Cuba and Troy.

- v. In addition, migrations of residential customers from CenturyTel to Charter are reflected in CenturyTel's internal business records showing the disconnection of customers' loops from CenturyTel's switch. CenturyTel numbers in the Bourbon and Cuba NPA/NXXs have been ported to Charter to assist in the provision of residential services. (See attached **HIGHLY CONFIDENTIAL Exhibits B(Sec. 2) and G(Sec. 2).**)²
- b. Fidelity Communications Services II, Inc. ("Fidelity") is providing local phone service to residential customers in direct competition with CenturyTel in the following CenturyTel exchanges: (a) Bourbon and (b) Cuba.
- i. Fidelity Communications Services II, Inc. obtained a Certificate to Provide Basic Local Telecommunications Services within Missouri, including the exchanges now owned by CenturyTel, on November 30, 1999 (Case No. TA-2000-229).
- ii. Upon information and belief, CenturyTel would expect that Fidelity's 2005³ Annual Report identifies local residential customers in the CenturyTel exchanges of Bourbon and Cuba, and that the Annual report would further reflect that Fidelity continues to provide service in these exchanges with its own facilities. However, Fidelity's 2005 Annual Report is filed on a Highly Confidential basis, and Fidelity has redacted the exchange list from

² All "Highly Confidential" exhibits attached to this Application are filed pursuant to Commission Rule 4 CSR 240-2.135.

³ It should be noted that Fidelity has been granted an extension request for filing its 2006 Annual Report, and as such, has not yet filed its 2006 Annual Report (See Case No. BARE-2007-0590).

its public version. Accordingly, pursuant to Section 392.245.5(6), CenturyTel respectfully requests that the Commission consider its own records concerning ownership of facilities, including the 2005 Annual Report of Fidelity Communications Services II, Inc. CenturyTel will cooperate with the Commission's Staff to facilitate the Commission in "making all inquiries as are necessary and appropriate from regulated providers of local voice service to determine the extent and presence of regulated local voice providers in an exchange."

iii. In addition, migrations of residential customers from CenturyTel to Fidelity are reflected in CenturyTel's internal business records showing the disconnection of customers' loops from CenturyTel's switch. CenturyTel numbers in the Bourbon and Cuba NPA/NXXs have been ported to Fidelity to assist in the provision of residential services. (See attached **HIGHLY CONFIDENTIAL Exhibits B(Sec. 2) and G(Sec. 2)**).

c. MCC Telephony of Missouri, Inc. ("Mediacom") provides local phone service to residential customers in direct competition with CenturyTel in the following CenturyTel exchanges: (a) Cabool, (b) Cassville, (c) Forsyth, (d) Kimberling City and (e) Mansfield; and provides local phone service to business customers in direct competition with CenturyTel in the CenturyTel exchange of Marshfield .

- i. As reflected in the attached printouts taken directly from Mediacom's website on the Internet,⁴ Mediacom provides local phone service in Cabool (*See* Exhibit D(Sec. 1)), Cassville (*See* Exhibit E(Sec. 1)), Forsyth (*See* Exhibit H(Sec. 1)), Kimberling City (*See* Exhibit I(Sec. 1)), Mansfield (*See* Exhibit J(Sec. 1)) and Marshfield (*See* Exhibit K(Sec. 1)). Mediacom's phone service does not require a special phone, and the customer may use "existing home phone equipment, jacks, outlets and in-home wiring". Finally, Mediacom's phone service includes vertical features such as voice mail, caller ID and call waiting.
- ii. Upon information and belief, CenturyTel understands that Mediacom utilizes, in addition to its own facilities, a portion of other CLECs' facilities. Accordingly, pursuant to Section 392.245.5(6), CenturyTel respectfully requests that the Commission consider its own records concerning ownership of facilities, and CenturyTel will cooperate with the Commission's Staff to facilitate the Commission in "making all inquiries as are necessary and appropriate from regulated providers of local voice services to determine the extent and presence of regulated local voice providers in an exchange."
- iii. In addition, migrations of residential customers from CenturyTel to Mediacom are reflected in CenturyTel's internal business records

⁴ Mediacom's Internet website allows a customer to search for available service by zip code. The printouts found in Exhibits D, E, and H through K, reflect the services and pricing available in the CenturyTel exchanges of Cabool, Cassville, Forsyth, Kimberling City, Mansfield and Marshfield.

showing the disconnection of customers' loops from CenturyTel's switch. CenturyTel numbers in the Cabool, Cassville, Forsyth, Kimberling City, Mansfield and Marshfield NPA/NXXs have been ported to such CLEC to assist in the provision of such services. (See attached **HIGHLY CONFIDENTIAL Exhibits D(Sec. 2), E(Sec. 2), H(Sec. 2), I(Sec. 2), J(Sec. 2), and L(Sec. 2)**).

d. Level 3 Communications, LLC ("Level 3") provides local phone service to business customers in direct competition with CenturyTel in the following CenturyTel exchanges: (a) Branson and (b) Crane; and local phone service to residential customers in direct competition with CenturyTel in the CenturyTel exchange of Branson.

- i. Level 3 was certificated by the Commission in Case No. TA-99-171 to provide basic local telecommunications services in Missouri, including the exchanges now owned by CenturyTel.
- ii. Upon information and belief, CenturyTel understands that Level 3 utilizes, in addition to its own facilities, a portion of other CLECs' facilities. Accordingly, pursuant to Section 392.245.5(6), CenturyTel respectfully requests that the Commission consider its own records, including the 2006 Annual Report filed by Level 3 as "highly confidential", concerning ownership of facilities, and CenturyTel will cooperate with the Commission's Staff to facilitate the Commission in "making all inquiries as are necessary and appropriate from regulated providers of local voice services to

determine the extent and presence of regulated local voice providers in an exchange.”

- iii. In addition, migrations of business and residential customers from CenturyTel to Level 3 are reflected in CenturyTel’s internal business records showing the disconnection of customers’ loops from CenturyTel’s switch. CenturyTel numbers in the Branson and Crane NPA-NXXs have been ported to Level 3 to assist in the provisioning of business and residential services (*See attached*

HIGHLY CONFIDENTIAL Exhibits C(Sec. 3) and F(Sec. 2)).

- e. Socket Telecom, LLC (“Socket”) provides local phone service to business customers in direct competition with CenturyTel in the CenturyTel exchange of Troy.
 - i. Socket was certificated by the Commission in Case No. TA-2001-0671 to provide basic local telecommunications services in Missouri, including the exchanges now owned by CenturyTel.
 - ii. Upon information and belief, CenturyTel understands that Socket utilizes, in addition to its own facilities, a portion of other CLECs’ facilities. Accordingly, pursuant to Section 392.245.5(6), CenturyTel respectfully requests that the Commission consider its own records concerning ownership of facilities, and CenturyTel will cooperate with the Commission’s Staff to facilitate the Commission “making all inquiries as are necessary and appropriate from regulated providers of local voice service to determine the extent and presence of regulated local voice providers in an

exchange.” In fact, this Commission has found Socket is providing service in CenturyTel exchanges with its own facilities, and it is recognized as a facilities-based local exchange carrier. (*See*, Transcript pp. 266-267, Case No. CO-2005-0066.)

iii. In addition, migrations of business customers from CenturyTel to Socket are reflected in CenturyTel’s internal business records showing the disconnection of customers’ loops from CenturyTel’s switch. CenturyTel numbers in the Troy NPA-NXX have been ported to Socket to assist in the provisioning of business services (*See* attached **HIGHLY CONFIDENTIAL M(Sec. 3)**).

f. NuVox Communications of Missouri, Inc. (“NuVox”) provides local phone service to business customers in direct competition with CenturyTel in the following CenturyTel exchanges: (a) Branson and (b) Ozark.

i. NuVox was certificated by the Commission in Case No. TO-2001-0500 to provide basic local telecommunications services in Missouri, including the exchanges now owned by CenturyTel.

ii. Upon information and belief, CenturyTel understands that NuVox utilizes, in addition to its own facilities, a portion of Sho-Me Technologies’, LLC, fiber facilities (*See* attached Exhibits C(Sec. 2) and L(Sec. 1)). Accordingly, pursuant to Section 392.245.5(6), CenturyTel respectfully requests that the Commission consider its own records, including the 2006 Annual Report filed by NuVox as “highly confidential”, concerning ownership of facilities, and CenturyTel will cooperate with the Commission’s Staff to facilitate

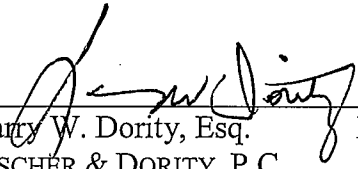
the Commission in "making all inquiries as are necessary and appropriate from regulated providers of local voice services to determine the extent and presence of regulated local voice providers in an exchange."

- iii. As reflected in the attached printouts taken directly from NuVox's website on the Internet, NuVox provides local calling with its business line service that includes such vertical features as "Caller ID, Call Transfer Disconnect, Call Waiting, Hunting, Speed Dialing, Three-Way Calling, and various Call Forwarding features". In addition, NuVox states, "In each of our markets, we've extended what is traditionally considered local. So more of your calls are 'local' and not long distance calls." (See attached Exhibits C(Sec. 2) and L(Sec. 1)).

7. CenturyTel's Application for Competitive Classification is not a request for any price changes and the above-referenced tariffs being filed concurrently herewith (attached copies for illustrative purposes only as Exhibit N) reflect administrative changes only indicating the new competitive classification. In fact, CenturyTel acknowledges that all rates currently in effect for these exchanges will remain in effect until such time CenturyTel files a tariff requesting a price change. CenturyTel 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, CenturyTel will be required to notify its customers of any future price increase.

WHEREFORE CenturyTel of Missouri, LLC respectfully requests the Commission to approve CenturyTel's Application for Competitive Classification and its tariffs filed concurrently herewith, pursuant to Section 392.245.5 RSMo. CenturyTel has demonstrated that at least two non-affiliated entities are providing basic local telecommunications service to customers within each of the listed exchanges. CenturyTel's Application and tariffs meet the statutory requirements for competitive classification and should become effective in no more than 30 days.

Respectfully submitted,

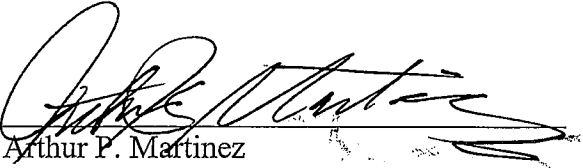


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VERIFICATION

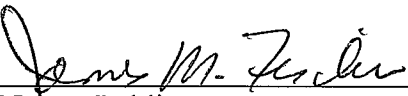
I, Arthur P. Martinez, Director Government Relations for CenturyTel, hereby verify and affirm that I have read the foregoing Application for Competitive Classification and that the statements contained therein are true and correct to the best of my information and belief.


Arthur P. Martinez

Subscribed and sworn to before me on this 17th day of May, 2007.



JAMES M. FISCHER
Cole County
My Commission Expires
October 6, 2007


Notary Public

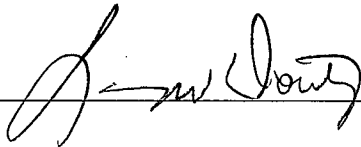
My Appointment Expires:

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 17th day of May, 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:

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LIST OF EXHIBITS

Exhibit A	Matrix of CenturyTel Exchanges	
Exhibit B	Bourbon Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit C	Branson Exchange:	Section 1: Residential Section 2: Business Section 3: LNP Report (NP & HC)
Exhibit D	Cabool Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit E	Cassville Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit F	Crane Exchange:	Section 1: Business Section 2: LNP Report (NP & HC)
Exhibit G	Cuba Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit H	Forsyth Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit I	Kimberling City Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit J	Mansfield Exchange:	Section 1: Residential Section 2: LNP Report (NP & HC)
Exhibit K	Marshfield Exchange:	Section 1: Business Section 2: LNP Report (NP & HC)
Exhibit L	Ozark Exchange:	Section 1: Business Section 2: LNP Report (NP & HC)
Exhibit M	Troy Exchange	Section 1: Residential Section 2: Business Section 3: LNP Report (NP & HC)
Exhibit N	CenturyTel Illustrative Tariffs	