

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

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

SOCKET TELECOM, LLC'S POSITION STATEMENT

COMES NOW Socket Telecom, LLC ("Socket") pursuant to Commission Order and presents its Position Statement, as follows:

Issues List

Issue 1. Does federal law require CenturyTel to fulfill the number port orders specifically at issue in this case and similar orders submitted since the filing of the complaint and into the future?

[Relates to Staff Issue (a) Is CenturyTel required to port the telephone numbers in question to Socket?]

[Relates to CenturyTel Issue 1. *Under applicable Federal law, Federal Communications Commission ("FCC") rules, regulations and orders, is CenturyTel or Spectra required to fulfill the two port requests specifically at issue in this case when the customer is physically relocating outside the customer's exchange?]*

Socket's Position: Federal law requires CenturyTel to fulfill the number port orders specifically at issue in this case and similar orders submitted since the filing of the complaint and into the future under its obligation to provide service provider local number portability. In the circumstances presented, there is no change in customer location as the word "location" has been interpreted by the FCC under the Telecommunications Act of 1996, applicable regulations, and in particular the FCC's Intermodal Order, because call rating (rate center assignment) will not change and call routing will be the same as if Socket assigned a new number to the customer. Additionally, federal law requires CenturyTel to fulfill such number port orders pursuant to the

terms and conditions of the applicable interconnection agreements as discussed under issue 2.

The customers are entitled to keep their numbers in the course of changing providers under these circumstances.

Issue 2. Do the Socket/CenturyTel interconnection agreements require CenturyTel to fulfill the number port orders specifically at issue in this case and similar orders submitted since the filing of the complaint and into the future?

[Relates to Staff Issue (a) Is CenturyTel required to port the telephone numbers in question to Socket?]

[Relates to CenturyTel Issue 1. *Under applicable Federal law, Federal Communications Commission (“FCC”) rules, regulations and orders, is CenturyTel or Spectra required to fulfill the two port requests specifically at issue in this case when the customer is physically relocating outside the customer’s exchange?]*

Socket’s Position: The interconnection agreements require CenturyTel to fulfill the number port orders specifically at issue in this case and similar orders submitted since the filing of the complaint and into the future, both because federal law requires it as discussed under issue 1 and because such port orders are routinely fulfilled by other carriers pursuant to practices and guidelines developed by the industry. The customers are entitled to keep their numbers in the course of changing providers under these circumstances.

Issue 3. Are network capacity issues grounds for denial of a number port order?

[Relates to Staff Issue (b) Is CenturyTel required to transport the traffic in question to a single Point of Interconnection?]

Socket’s Position: Network capacity issues are not grounds for denial of a number port order. Each party is responsible to have sufficient capacity on its side of a point of interconnection so that traffic can be exchanged properly, including traffic for the customers involved in the subject porting requests after the completion of the number ports. The interconnection agreements establish procedures for creation of additional points of interconnection based on traffic volumes, but under

such contract provisions actual traffic volumes are to be determined over time and are not to be estimated in anticipation of a number port. If there is a legitimate capacity issue related to a port order, CenturyTel should promptly contact Socket upon receipt of the port order and provide information about the issue including a plan and time frame for promptly adding any necessary trunking on CenturyTel's side of the POI (Socket would do likewise on its side) so that the port order can be fulfilled in a timely manner.

Issue 4. Is Socket required to have a block of numbers assigned to it for a rate center before CenturyTel has to fulfill number port orders from Socket for that rate center?

Socket's Position: Socket has already obtained number blocks for all the pertinent rate centers at CenturyTel's insistence. However, in many instances there is no need for Socket to have these number blocks except for CenturyTel's insistence. If Socket is only serving customers with ported numbers, it does not yet need a number block for a rate center. Socket could return many blocks but for CenturyTel's insistence.

WHEREFORE, Socket Telecom LLC requests the Commission to hold its hearing on these issues and thereupon grant to Socket the relief requested in its Complaint.

Respectfully submitted,

/s/ Carl J. Lumley

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Certificate of Service

I hereby certify that a true and correct copy of this document was emailed to the parties listed below on this 3rd day of July, 2007.

/s/ Carl J. Lumley

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