

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

In the matter of the Application of	)	
Spectra Communications Group, LLC	)	
for approval of its Interconnection, Resale	)	Case No. _____
and Unbundling Agreement with Chariton	)	
Valley Telecom Corporation under	)	
47 U.S.C. § 252.	)	

**APPLICATION OF SPECTRA COMMUNICATIONS GROUP, LLC  
FOR APPROVAL OF INTERCONNECTION, RESALE AND  
UNBUNDLING AGREEMENT WITH  
CHARITON VALLEY TELECOM CORPORATION**

**COMES NOW** Spectra Communications Group, LLC ("Spectra") and hereby applies for approval by the Missouri Public Service Commission ("Commission") of the accompanying Interconnection, Resale and Unbundling Agreement voluntarily entered into by Spectra and Chariton Valley Telecom Corporation ("Chariton Valley Telecom"), pursuant to the federal Telecommunications Act of 1996 (the "Act") under 47 U.S.C. § 252(e).

1. Spectra is a Delaware Limited Liability Company authorized to do business in Missouri, as evidenced by the certificate of authority issued by the Missouri Secretary of State which was filed in Case No. TM-2000-182 and incorporated herein by reference. Spectra's principle place of business is 1151 CenturyTel Drive, Wentzville, Missouri 63885.

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

Larry W. Dority  
FISCHER & DORITY, P.C.  
101 Madison, Suite 400  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383

3. Spectra has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application, except for that set forth in Footnote 1 herein.<sup>1</sup> No Missouri annual reports or assessment fees are overdue.

In support of this Application, Spectra states the following:

#### **I. INTERCONNECTION AGREEMENT REACHED**

Spectra presents to this Commission for approval the Interconnection, Resale and Unbundling Agreement Between Spectra Communications Group, LLC and Chariton Valley Telecom (“Agreement”) that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all of the complex issues involved in such an agreement, the parties signed the Agreement on March 3, 2005, and hereby file the Agreement, together with five appendices incorporated therein. There are no outstanding issues between Spectra and Chariton Valley Telecom that need the assistance of mediation or arbitration.

#### **II. REQUEST FOR APPROVAL**

Spectra seeks the Commission's approval of the Agreement, consistent with the provisions of the Act. Spectra believes that the implementation of this Agreement complies fully with Section 252(e) of the Act because the Agreement is consistent with the public interest,

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<sup>1</sup> MoPSC Case No. TC-2005-0356, *Eminent Network Technologies, Inc. d/b/a Interlinc.net, Complainant, vs. CenturyTel of Missouri, LLC and Spectra Communications Group, LLC d/b/a CenturyTel, Respondents*. This action is currently pending.

convenience and necessity, and does not discriminate against any telecommunications carrier. The Agreement promotes interconnectivity and diversity in providers, and will increase customer choices for telecommunications services. Spectra respectfully requests that the Commission grant approval of this Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise between Spectra and Chariton Valley Telecom.

### **III. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Act, which provides:

#### **(e) APPROVAL BY STATE COMMISSION**

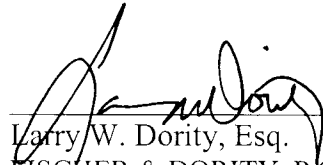
- (1) APPROVAL REQUIRED.** – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION.** – The State Commission may only reject –
  - (A)**an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that –
    - (i)** the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
    - (ii)** the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . . .

### **IV. MISSOURI LEGISLATION**

The negotiated and executed Agreement is consistent with Missouri Senate Bill 507, which became effective on August 28, 1996.

**WHEREFORE**, Spectra Communications Group, LLC respectfully requests the Commission to enter an Order approving its Interconnection, Resale and Unbundling Agreement with Chariton Valley Telecom Corporation.

Respectfully submitted,



Larry W. Dority, Esq. MBN 25617

FISCHER & DORITY, P.C.

101 Madison, Suite 400

Jefferson City, Missouri 65101

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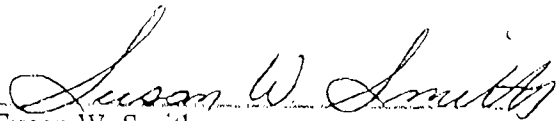
E-mail: [lwdority@sprintmail.com](mailto:lwdority@sprintmail.com)

Attorneys for Spectra Communications Group, LLC

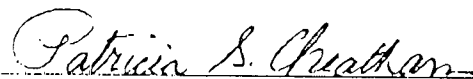
VERIFICATION

STATE OF TEXAS                    )  
  ) SS  
COUNTY OF BOWIE                )

I, Susan W. Smith, of lawful age, being first duly sworn upon my oath, state that I am the Director of External Affairs, CenturyTel, and that I am authorized to make this verification on behalf of Spectra Communications Group, L.L.C.; and that the facts set forth in the foregoing Application are true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Susan W. Smith

Subscribed and sworn to before me this 27<sup>th</sup> day of May, 2005.

  
\_\_\_\_\_  
Notary Public

My Commission expires:

5-29-07

## CERTIFICATE OF SERVICE

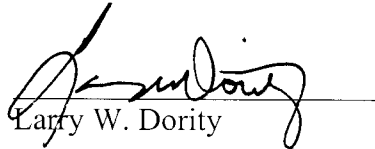
I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this ~~30<sup>th</sup>~~ day of May, 2005 to:

Office of the Public Counsel  
200 Madison Street  
Jefferson City, MO 65101

Dana K. Joyce, General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101

Chariton Valley Telecom Corporation  
Attn: James A. Simon, Asst. Gen. Mgr.  
606 Oak Street  
Bucklin, MO 64631

Craig Johnson  
Andereck, Evans, Milne, Peace & Johnson  
700 East Capitol  
Jefferson City, MO 65102



Larry W. Dority