

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

**APPLICATION OF SOCKET TELECOM,)
LLC AND SPECTRA)
COMMUNICATIONS GROUP, LLC FOR)
APPROVAL OF AN INTERIM)
ARRANGEMENT PURSUANT TO §) CASE NO. _____
252(e) OF THE)
TELECOMMUNICATIONS)
ACT OF 1996)
)**

**APPLICATION FOR APPROVAL OF AN INTERIM ARRANGEMENT
BETWEEN SOCKET TELECOM, LLC
AND
SPECTRA COMMUNICATIONS GROUP, LLC
AND
MOTION FOR EXPEDITED TREATMENT**

COME NOW Socket Telecom, LLC ("Socket") and Spectra Communications Group, LLC ("Spectra") and for their application for approval of an interim arrangement ("the Agreement") pursuant to § 252(e) of the Telecommunications Act of 1996 ("the Federal Act"), 47 CFR 51.715, 4 CSR 240-3.513, 4 CSR 240-2.040, 4 CSR 240-2.060, and 4 CSR 240-2.080, and for expedited treatment pursuant to 4 CSR 240-2.080(16), state to the Commission as follows:

I. Parties

1. Socket is a Missouri limited liability corporation in good standing duly authorized to conduct business in Missouri with regulatory offices at 1005 Cherry Street, Suite 104, Columbia, Missouri 65201. Socket is authorized as a competitive local exchange and interexchange carrier under certificates granted and tariffs approved by the Commission. A certificate of good standing to conduct business in Missouri was recently submitted in Case No.

TT-2006-0113 and is incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G).

2. Socket can be reached as follows:

Matt Kohly
Socket Telecom, LLC
1005 Cherry Street, Suite 104
Columbia, Missouri 65201
573-777-1991 x551
573-441-1050 (fax)
mkohly@sockettelecom.net

3. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be directed to Socket through its counsel:

Carl J. Lumley
Leland B. Curtis
Curtis, Heinz, Garrett & O'Keefe, PC
130 S. Bemiston, Suite 200
Clayton, Missouri 63105
Telephone: (314) 725-8788
Facsimile: (314) 725-8789
Email: clumley@lawfirmemail.com
lcurtis@lawfirmemail.com

4. Spectra is a Delaware limited liability company that is duly authorized to do business in the State of Missouri with its primary business address in Missouri at 1151 CenturyTel Drive, Wentzville, Missouri 63385. Copies of Spectra's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State were filed in Case No. TM-2000-182, and are incorporated herein by reference pursuant to Commission Rule 4 CSR 240-

2.060(1)(G). Spectra 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. It is an incumbent local exchange carrier as defined in Section 251(h) of the Telecommunications Act of 1996.

5. Spectra can be reached as follows:

Arthur P. Martinez
Spectra Communications Group, LLC
220 Madison Street
Jefferson City, Missouri 65101
573-634-8424
573-636-6826 (fax)
Arthur.martinez@centurytel.com)

6. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be directed to Spectra through its counsel:

Larry W. Dority
Fischer & Dority
101 Madison Street, Suite 400
Jefferson City, Missouri 65101
573-636-6758
573-637-0383 (fax)
lwdority@sprintmail.com

II. Allegations of Fact

7. Socket and Spectra present to this Commission for approval an Interim Arrangement, attached hereto as Exhibit 1, negotiated and executed pursuant to the terms of the

Federal Act. All issues have been successfully negotiated and agreed upon. No arbitration of any issue is required. Both parties have signed the Agreement. The Agreement and the provisions of the interconnection agreement referenced therein constitute the full agreement of the parties and there are no side agreements related thereto. The referenced interconnection agreement was originally made between AT&T Communications of the Southwest, Inc. and GTE Midwest, Inc. The Commission should take notice of the referenced interconnection agreement. The Agreement is part of a resolution of matters in dispute between the parties in Commission Case No. CO-2005-0066 and related federal litigation, together with an Amendment between Socket and CenturyTel of Missouri, LLC which has been submitted to the Commission for approval contemporaneously with this Application. The parties have also filed herewith a motion to consolidate the two proceedings.

8. Socket and Spectra seek the Commission's approval of the Agreement consistent with the provisions of the Federal Act and Missouri law. Socket and Spectra believe that the implementation of the Agreement complies fully with § 252(e) of the Federal Act because the Agreement is non-discriminatory and consistent with the public interest, convenience and necessity. The Agreement will promote diversity in providers, provide for interconnectivity between the parties, and will lead to increased customer choices for telecommunications services.

9. Socket and Spectra respectfully request that the Commission grant approval of the Agreement without change, suspension, or other delay in implementation. This is a bilateral Agreement, entered into as a result of negotiations and compromise between competitors, and Applicants believe that procedures for review of the Agreement should be designed to permit

expeditious implementation thereof, and that interventions should be strictly limited consistent with the scope of review specified by the Federal Act and the Commission's applicable rules.

10. The Applicable standard of review is set forth in § 252(e) of the Federal Act and provides as follows:

(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 to 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.

11. Each of the Applicants respectively states that it does not have any pending actions or unsatisfied final judgments or decisions against it from any state or federal agency or court which involve customer service or customer rates, which action, judgment or decision has occurred within three years of the date of this Application.

12. Each of the Applicants respectively states that it does not have any overdue annual reports or assessment fees.

IV. Relief Sought

13. Socket and Spectra seek expedited approval of the Agreement. As indicated above the Agreement is made in connection with the settlement of pending litigation. The Commission is a party to that litigation and settlement. Socket and Spectra seek approval of the Agreement within 30 days of the filing of this Application, in order to enable the parties to promptly dismiss the federal lawsuit. All parties to the lawsuit, including the Commission, will benefit from an expedited resolution of this proceeding and the litigation and will avoid the harm of having to devote further resources to that litigation. There will be no negative effect on either Socket or Spectra customers or the general public if the Commission acts on an expedited basis as requested by the parties. The Commission agreed to exert reasonable efforts to resolve this manner within such a 30 day period in the settlement agreement. This application and request for expedited treatment was filed as soon as possible, immediately after signature of the settlement agreement and the Agreement by the parties.

WHEREFORE, Socket and Spectra respectfully request that the Commission approve the Interim Arrangement and grant additional relief as the Commission deems proper and reasonable.

Respectfully submitted,

/s/ Carl J. Lumley

Carl J. Lumley MBE 32869
Leland B. Curtis MBE 20550
Curtis, Heinz, Garrett & O'Keefe, PC
130 S. Bemiston, Suite 200
Clayton, Missouri 63105
Telephone: (314) 725-8788
Facsimile: (314) 725-8789
Email: clumley@lawfirmemail.com
lcurtis@lawfirmemail.com

ATTORNEYS FOR SOCKET TELECOM, LLC

FISCHER & DORITY

/s/ Larry W. Dority (By Carl J. Lumley)

Larry W. Dority, #25617
101 Madison, Suite 400
Jefferson City, Missouri 65101
573-636-6758
573-637-0383 (FAX)
lwdority@sprintmail.com

ATTORNEYS FOR SPECTRA COMMUNICATIONS
GROUP, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the parties listed below on this 18th day of October, 2005 by email or by placing same in the U.S. Mail, postage prepaid.

/s/ Carl J. Lumley

Carl J. Lumley

Office of the Public Counsel
PO Box 7800
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Office of General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, Missouri 65102
gencounsel@psc.mo.gov

COUNTY OF BOONE)
)
STATE OF MISSOURI) SS

VERIFICATION

I, R. MATTHEW, KOHLY, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and an employee of Socket Telecom, LLC. I am authorized to act on behalf of Socket Telecom, LLC, regarding the foregoing document. I have read the foregoing pleading and I am informed and believe that the matters contained therein are true. Further, I hereby confirm that Carl J. Lumley, Leland B. Curtis, and Curtis, Heinz, Garrett & O'Keefe, P.C., 130 S. Bemiston, Suite 200, Clayton, Missouri 63105, are authorized to sign all pleadings and documents necessary to obtain the decision of the Missouri Public Service Commission on the foregoing, and to represent Socket Telecom, LLC in this proceeding.

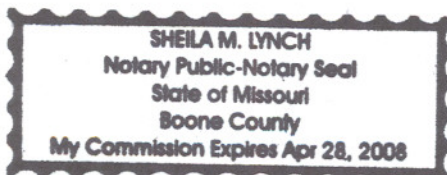
R. Matthew Kohly
R. Matthew Kohly

On this 17th day of October, 2005, before me, a Notary Public, personally appeared R. Matthew Kohly, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and an employee of Socket Telecom, LLC, he signed the foregoing document as an employee of Socket Telecom, LLC, and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.

Sheila M. Lynch
Notary Public

My Commission Expires:



BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

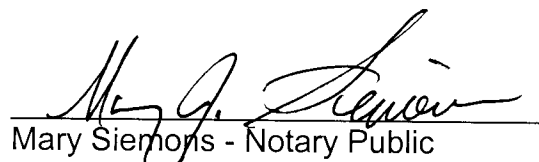
STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

AFFIDAVIT

I, **ARTHUR P. MARTINEZ**, of lawful age and being duly sworn, state that I am presently Director of Missouri Government Relations for Spectra Communications Group, LLC d/b/a CenturyTel, and further state to the best of my knowledge, information and belief, that the information set forth in the attached Pleading is true and correct.


Arthur P. Martinez

Subscribed and sworn to before me this 17th day of October, 2005.


Mary Siemons - Notary Public

My commission expires: July 8, 2008

