

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Application of Socket)
Telecom, LLC, for Approval of an Amendment)
to an Interconnection Agreement with Spectra) Case No. _____
Communications Group, LLC d/b/a CenturyLink,)
Under the Telecommunications Act of 1996.)

APPLICATION FOR APPROVAL OF AN AMENDMENT TO THE
INTERCONNECTION AGREEMENT BETWEEN
SPECTRA COMMUNICATIONS GROUP, LLC d/b/a CENTURYLINK
AND SOCKET TELECOM, LLC

COMES NOW Socket Telecom, LLC ("Socket") pursuant to Section 252(e) of the Telecommunications Act of 1996 ("the Act") and 4 CSR 240-3.513(6)(c), and for its Application for Approval of an Amendment to the Interconnection Agreement Between Spectra Communications Group, LLC d/b/a CenturyLink and Socket Telecom, LLC, hereby requests that the Commission approve the Amendment attached hereto in conjunction with the settlement of matters in dispute in Commission Case No. TC-2008-0225.

I. Parties

1. Socket is a certificated competitive local exchange company in the State of Missouri. Socket is a Missouri limited liability company in good standing, with its principal place of business located at 2703 Clark Avenue, Columbia, Missouri 65202 and it can be reached as follows: telephone – 573-777-1991 (ext. 551) and facsimile – 573-441-1050, email: rmkohly@sockettelecom.com. Socket is an authorized provider of intrastate switched and non-switched local exchange and interexchange telecommunications services in Missouri under certificates granted and tariffs approved by the Commission. Socket is also an authorized provider of interstate telecommunications services in Missouri under the jurisdiction of the

Federal Communications Commission. A certificate of good standing to conduct business in Missouri is attached hereto as **Exhibit A** and incorporated herein by reference.

2. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to this matter should be directed to:

Carl J. Lumley, #32869
Curtis, Heinz, Garrett & O’Keefe, PC
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
Telephone: (314) 725-8788
Facsimile: (314) 725-8789
Email: clumley@lawfirmemail.com

3. Spectra Communications Group, LLC d/b/a CenturyLink (“CenturyLink”) is a limited liability company organized and existing under the laws of the State of Delaware and authorized to conduct business in the State of Missouri. It is a public utility subject to the jurisdiction of the Commission and provides telecommunications services in its service areas within the State of Missouri under authority granted and tariffs approved by the Commission. It is an incumbent local exchange carrier as defined in Section 251(h) of the Telecommunications Act of 1996 and a large local exchange carrier as defined in Sections 386.020, 392.361, and 392.245 R.S.Mo. CenturyLink’s principal place of business in Missouri is located at 1151 CenturyTel Drive, Wentzville, Missouri 63885, and it has local offices at 220 Monroe Street, 1st Floor, Jefferson City, Missouri 65101.

4. CenturyLink can be reached as follows:

Spectra Communications Group, LLC
220 Madison Street
Jefferson City, Missouri 65101
573-634-8424
573-636-6826 (fax)

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

5. CenturyLink and Socket are currently interconnecting and exchanging traffic pursuant to the terms of the interconnection agreement (the Agreement) approved by the Commission in Case No. TO-2006-0299.

6. Socket presents to this Commission for approval an Amendment to the Interconnection Agreement Under Sections 251 and 252 of the Telecommunications Act of 1996 between Spectra Communications Group, LLC d/b/a CenturyLink and Socket Telecom, LLC, ("Amendment to Interconnection Agreement") attached hereto as **Exhibit B**, 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 document. Upon approval of this Amendment and an identical amendment contemporaneously submitted for approval concerning the interconnection agreement between Socket and CenturyTel of Missouri, LLC d/b/a CenturyLink, the parties will be able to dismiss all claims in Commission Case No. TC-2008-0225 pursuant to settlement.

7. Socket seeks the Commission's approval of the Amendment to Interconnection Agreement with CenturyLink, consistent with the provisions of the Federal Act and Missouri law. Implementation of the Amendment to Interconnection Agreement complies fully with § 252(e) of the Federal Act because it is non-discriminatory and consistent with the public interest, convenience and necessity. The Amendment to Interconnection Agreement will promote

diversity in providers and will lead to increased customer choices for telecommunications services.

8. Socket respectfully requests that the Commission grant approval of the Amendment to Interconnection Agreement without change, suspension, or other delay in implementation. This is a bilateral document, entered into as a result of negotiations and compromise between competitors, and Socket believes that procedures for review of the document 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.

9. 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.

10. Socket 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.

11. Socket does not have any overdue annual reports or assessment fees.

WHEREFORE, Socket respectfully requests that the Commission approve the Amendment to Interconnection Agreement Under Sections 251 and 252 of the Telecommunications Act of 1996 Between Spectra Communications Group, LLC d/b/a CenturyLink and Socket Telecom, LLC, and grant additional relief as the Commission deems proper and reasonable.

Respectfully submitted,

____/s/ Carl J. Lumley_____
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130 S. Bemiston, Suite 200
Clayton, Missouri 63105
Telephone: (314) 725-8788
Facsimile: (314) 725-8789
Email: clumley@lawfirmemail.com

ATTORNEYS FOR SOCKET TELECOM, 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 23d day of November, 2009 by email or by placing same in the U.S. Mail, postage prepaid.

____/s/ Carl J. Lumley_____
Carl J. Lumley

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