

In the Matter of a Request for Expansion of )  
the St. Louis Metropolitan Calling Area Plan to )  
Include the Exchanges of Washington, Union, ) Case No. TO-2005-0141  
Wright City, St. Clair, Marthasville, Beaufort, )  
Foley, and Warrenton. )

COME NOW CenturyTel of Missouri, LLC (“CenturyTel”) and Spectra Communications Group, LLC d/b/a CenturyTel (“Spectra”) (collectively referred to herein as “Respondents”), pursuant to the Commission’s *Order Directing Filings*, and for their Response to the Office of the Public Counsel’s (“OPC”) Final Recommendation filed in this matter on April 29, 2005, respectfully state as follows:

- The St. Louis MCA plan should be amended to add a new Tier 6 that would include the exchanges of Washington, Union, Wright City, St. Clair, Marthasville, Beaufort, Foley and Warrenton;
- The rates for MCA service in Tier 6 should be priced no higher than the applicable rates for the classes of service in Tier 5: (1) \$32.50 residential (local basic service not included); (2) \$70.70 business (local basic service not included);
- Subscription to the Tier 6 MCA should be optional and in addition to charges for local basic service and any other existing EAS charges; and
- Intercompany compensation for Tier 6 should be on a “bill and keep” system to reflect the existing compensation arrangement for the existing MCA plan.

2. As stated in Respondents' Application to Intervene in this matter, CenturyTel presently offers MCA service in portions of the St. Louis MCA Plan, and it provides local exchange telecommunications service in the above-referenced exchanges of Wright City, Marthasville, Foley and Warrenton. Respondents oppose OPC's Final Recommendation as filed herein.

3. OPC is proposing a significant change to the existing MCA Plan without any showing that such action would be lawful, necessary or appropriate. There has been no demonstration or evidence (1) that customers want, or would subscribe to, such services in the affected exchanges at a compensatory price; (2) that customers are aware of the competitive alternatives that are available to them; or (3) that customers would be willing to change their telephone numbers as required under OPC's proposal.

4. Based on the instant record, it would be unlawful for the Commission to modify or alter the existing MCA Plan. *See, e.g.*, Sections 386.420, 392.200.9, 392.245.11, RSMo 2000. Furthermore, the Commission's expressed intent to follow the procedural mechanisms contained in a proposed rule (4 CSR 240-2.061) prior to that rule's adoption, raises additional due process concerns. Indeed, Respondents will be raising substantive objections and concerns relating to the Proposed Rule, 4 CSR 240-2.061, in written comments and testimony pursuant to the procedural schedule established in Case No. TX-2005-0194 and published in Volume 30, *Missouri Register*, pages 687-689.

5. In this and previous proceedings regarding the Commission's MCA plans, Respondents consistently have stated that revenue neutrality is required if the Commission adopts changes to the MCA, and that implementation costs are required and

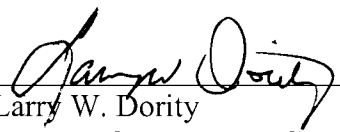
appropriately included as a part of any revenue neutrality calculation. The Commission's *Order Directing Filings* appears to acknowledge such requirements in its provisions concerning illustrative tariffs:

The illustrative tariff sheets shall identify all rate adjustments necessary to implement Public Counsel's proposal. The company shall also simultaneously file supporting documentation if it proposes to increase or establish new rates designed to maintain revenue neutrality, including the recovery of any new costs associated with implementing the proposal.

However, Respondents will point out in their rulemaking comments that it is premature and improper for the Commission to order the preparation and filing of illustrative tariffs, prior to its determination and decision concerning objections filed in response to final recommendations, such as the instant pleading ordered herein.

WHEREFORE, CenturyTel of Missouri, LLC and Spectra Communications Group, LLC d/b/a CenturyTel respectfully file their Response in opposition to the Office of the Public Counsel's Final Recommendation.

Respectfully submitted,

  
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## 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 10th day of May, 2005, to:

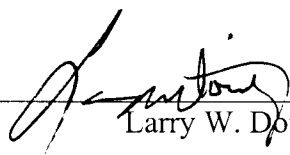
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