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January 20, 2005

FILED

JAN 2 0 2005

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Secretary

**Public Service Commission** 

P.O. Box 360

Jefferson City, Missouri 65102

Missouri Public Service Commission

Re:

In the Matter of the Adoption of the CenturyTel of Missouri, L.L.C. and WWC License. L.L.C. Interconnection and Reciprocal Compensation Agreement by Chariton Valley Communication Corporation, Inc. Pursuant to Section 252(i) of the Telecommunications Act of 1996.

Dear Secretary:

Enclosed for filing please find an original and eight copies of the Response to Order Directing Filing in the above referenced case.

If you have any questions, please contact me at the number listed above.

Sincerely

Bryan D. Lade

BDL:lw

Encl.

CC:

Office of Public Counsel

General Counsel, PSC

CenturyTel Larry Dority

Gregory Whiteaker

FILED

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

JAN 2 0 2005

		Missouri Public Service Commission
IN THE MATTER OF THE ADOPTION OF THE	)	service Commission
CENTURYTEL OF MISSOURI, L.L.C AND	)	
WWC LICENSE, L.L.C. INTERCONNECTION AND	)	
RECIPROCAL COMPENSATION AGREEMENT	)	Case No.
BY CHARITON VALLEY COMMUNICATION	)	
CORPORATION, INC. PURSUANT TO SECTION	)	
252(i) OF THE TELECOMMUNICATIONS ACT	)	
OF 1996.	)	

## RESPONSE TO ORDER DIRECTING FILING

COMES NOW Chariton Valley Communication Corporation, Inc. ("CVCI") and, in response to the Commission's January 11, 2005 Order Directing Filing, CVCI respectfully submits this response in order to clarify and correct its Notice of Adoption of Interconnection and Reciprocal Compensation Agreement. In support of this filing, CVCI states as follows:

- 1. In its January 11, 2005 Order Directing Filing the Commission asked that CVCI "clarify how its agreement is an adoption of an interconnection agreement rather than an application for approval of a new interconnection agreement." CVCI responds that this is not a new agreement. CVCI and CenturyTel by their signed letter of agreement intended to adopt the CenturyTel of Missouri, L.L.C. and WWC License, L.L.C. Interconnection and Reciprocal Compensation Agreement, which this commission approved in Case No. TK-2004-0499. There was no new negotiation of terms related to this agreement. The terms of the agreement as approved are to be applied to CVCI and CenturyTel.
- 2. In this case CVCI included this letter of agreement that memorialized the parties' intent to adopt the subject agreement for no other purpose than making it part of

the record in this adoption process. (Exhibit 3 to original Notice of Adoption) As CVCI reads the letter it merely memorializes the parties' agreement to adopt the CenturyTel of Missouri, L.L.C. and WWC License, L.L.C interconnection Agreement, and does not amend, change or otherwise augment the agreement in the process.

- CVCI further states that paragraph 2 to its original Notice of Adoption should be corrected as follows:
  - 2. Pursuant to Section 252(i) of the Telecommunications Act of 1996 ("the Act"), CVCI notified Spectra CenturyTel that it desired to adopt the terms of the Interconnection and Reciprocal Compensation Agreement ("Terms") between CenturyTel of Missouri, L.L.C. ("CenturyTel") and WWC License L.L.C. ("WWC") approved by the Missouri Public Service Commission ("Commission") in Case No. TK-2004-0499 ("Underlying Agreement"). Subsequently, CenturyTel and CVCI signed a cover letter relating to CVCI's adoption of the Terms. A copy of this letter and signature page are attached as Exhibit 2.
- 4. CVCI further states that paragraph 4 to its original Notice of Adoption should be corrected as follows:
  - 4. A copy of the Commission's May 11, 2004 Order approving the Underlying Agreement is attached as Exhibit 3. As described in the Order, the Commission approved the Underlying Agreement pursuant to Section 252(e) of the Act by finding that is was consistent with the public interest, convenience, and necessity and did not discriminate against any telecommunications carrier. Accordingly, the Terms are adopted by CVCI and will apply to CVCI and Spectra CenturyTel pursuant to Section 252(i) of the Act. There are no outstanding disputed issues between Spectra CenturyTel and CVCI relating to this adoption.
- 5. Counsel for CenturyTel has conferred with CVCl's counsel and expressed their concurrence in the corrections and assertions of this pleading.

WHEREFORE, CVCI respectfully submits this Clarification and Correction to Notice of Adoption of Interconnection and Reciprocal Compensation Agreement and

requests that the Commission take notice of such adoption pursuant to its authority to regulate telecommunications in the State of Missouri.

Respectfully Submitted,

ANDERECK, EVANS, MILNE, PEACE & JOHNSON, LLC

Bv:

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**ATTORNEYS FOR CVCI** 

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was hand delivered or mailed, U. S. Mail, postage pre-paid, this 17th day of December, 2004, to:

Office of the Public Counsel P.O. Box 2230 Jefferson City, MO 65102

General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

CenturyTel Attention: Director Carrier Relations 100 CenturyTel Drive Monroe, LA 71203

CenturyTel Attention: Director External Affairs 911 North Bishop, Suite C-207 Texarkana, TX 75501

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Gregory Whiteaker Bennet & Bennet, PLLC 10 G Street, NE, Suite 710 Washington, DC 20002

Bryan D. Lade