

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

In the Matter of the Third Application of	)	
Missouri RSA No. 7 Limited Partnership	)	
d/b/a Mid-Missouri Cellular for Designation	)	
As a Telecommunications Carrier Eligible	)	Case No. TO-2005-0325
For Federal Universal Service Support	)	
Pursuant to Section 254 of the	)	
Telecommunications Act of 1996.	)	

**STATEMENT OF POSITION OF  
SPECTRA COMMUNICATIONS GROUP, LLC d/b/a CENTURYTEL  
AND CENTURYTEL OF MISSOURI LLC**

COME NOW Intervenors Spectra Communications Group, LLC d/b/a CenturyTel and CenturyTel of Missouri, LLC (collectively “CenturyTel”), by and through counsel, and for their Statement of Position in the above-captioned cause respectfully state as follows:

Issue 1. Telecommunications companies seeking eligible telecommunications carrier (“ETC”) status must meet the requirements of Section 214 (e)(1) throughout the service area for which designation is received. Section 214(e)(1) requires carriers to offer the services that are supported by Federal universal support mechanisms and to advertise the availability of such services and the charges therefore using media of general distribution. Does MMC meet the requirements of Section 214(e)(1) throughout the service area for which MMC seeks ETC designation?

**No. MMC does not meet the local usage standard. Spectra and CenturyTel offer basic local service plans that provide an unlimited amount of local calling over a defined local calling area. In order to meet the “comparability” standard in Spectra and CenturyTel’s service areas, any offering for which MMC seeks to receive high-cost universal support must likewise offer unlimited local calling.**

Issue 2. ETC designations by a state commission must be consistent with the public interest, convenience and necessity pursuant to Section 214(e)(2). The Federal Communications Commission's ("FCC's") ETC Report and Order<sup>1</sup> determined that this public interest standard applies regardless of whether the area is served by a rural or non-rural carrier. Is granting ETC status to MMC consistent with the public interest, convenience and necessity throughout the service area for which MMC seeks ETC designation?

**No. As outlined in the rebuttal testimony of CenturyTel witness Brown, MMC's application does not meet the cost/benefit criteria outlined in the FCC's *Virginia Cellular Order*<sup>2</sup>. Also, as demonstrated in Brown's testimony, MMC does not provide adequate signal coverage in several of the areas where it has requested ETC designation, and has not demonstrated that it will be able to do so. MMC's Application furthermore falls short of several of the minimum ETC designation criteria contained in the FCC's ETC Report and Order.**

Issue 3. The FCC's ETC Report and Order determined that carriers seeking ETC designation from the FCC must meet certain requirements related to eligibility, the public interest, and annual certification and reporting. The FCC encouraged state commissions to apply these requirements. Should the Commission consider the guidelines approved by the FCC's ETC Report and Order in its evaluation of the application filed by MMC?

**Yes. The Commission not only should consider the guidelines set forth by the FCC in its ETC Report and Order, but view them as *minimum* guidelines in**

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<sup>1</sup> *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46, released March 17, 2005 ("ETC Report and Order").

<sup>2</sup> *In the Matter of Federal-State Joint board on Universal Service, Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia* CC docket No. 96-45, FCC 03-338, released January 22, 2004 ("Virginia Cellular Order").

evaluating MMC's and other ETC applications. The Commission Staff's proposed ETC rules build on the FCC's ETC Report and Order minimum requirements and provide the Commission with further guidance in its public interest analysis. As discussed in the testimony of CenturyTel witness Brown, MMC's Application fails in several respects to meet the minimum requirements set forth in the FCC's ETC Report and Order and in the Commission Staff's proposed rules. It is CenturyTel's position that the Commission, as a matter of sound public policy, should not address ETC applications in a "piece-meal" fashion with different standards applied to different ETCs. The FCC's Report and Order and the Staff's proposed ETC rules provide the Commission at least with the minimum standards necessary under which all ETC applications should be evaluated.

Respectfully submitted,

/s/ **Charles Brent Stewart**

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MISSOURI, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was sent to counsel for all parties of record in Case No. TO-2005-0325 by depositing same in the U.S. Mail, first class postage prepaid, by hand-delivery, or by electronic mail transmission, this 27<sup>th</sup> day of July, 2005.

/s/ **Charles Brent Stewart**

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