

**THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI**

In Re: Collocation Amendment to the Traffic Exchange Agreement between Level 3 Communications, LLC and CenturyTel of Missouri, LLC d/b/a CenturyLink, and Spectra Communications Group, LLC d/b/a CenturyLink Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 )  
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) Case No. \_\_\_\_\_  
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**APPLICATION OF CENTURYLINK FOR APPROVAL OF THE COLLOCATION  
AMENDMENT TO THE TRAFFIC EXCHANGE AGREEMENT**

COMES NOW, CenturyTel of Missouri, LLC d/b/a CenturyLink, and Spectra Communications Group, LLC d/b/a CenturyLink (“CenturyLink”) and files its Application for Approval of the Collocation Amendment to the Traffic Exchange Agreement (“Agreement”) between Level 3 Communications, LLC (“Level 3”) and CenturyLink pursuant to the Telecommunications Act of 1996 (the “Federal Act”). In support of its application, CenturyLink states the following:

## I. APPLICANT

CenturyTel of Missouri, LLC d/b/a CenturyLink is a Louisiana limited liability corporation that is duly authorized to do business in the state of Missouri and authorized by the Commission to provide basic local and interexchange telecommunications services. Copies of CenturyTel of Missouri, LLC's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State were filed in Case No. TM-2002-232 and are incorporated herein by reference pursuant to 4 CSR 240-2.060(1)(G).

Spectra Communications Group, LLC d/b/a CenturyLink is a Delaware limited liability corporation that is duly authorized to do business in the state of Missouri and authorized by the

Commission to provide basic local and interexchange telecommunications services. Copies of Spectra Communications Group, LLC's Certificate of Authority issued by the Missouri Secretary of State were filed in Case No. TM-2000-182 and incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G).

To CenturyLink's knowledge, there are no overdue assessments or annual reports or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

## **II. INTERCONNECTION AGREEMENT**

CenturyLink presents to the Commission its application pursuant to the terms of the Federal Act. CenturyLink and Level 3 entered into a Traffic Exchange Agreement which was approved by the Commission in Docket No. TK-2015-0338.

CenturyLink and Level 3 recently entered into the attached Collocation Amendment to the Traffic Exchange Agreement, which amends the Agreement adding terms, conditions and rates for collocation as set forth in Attachment 1 and Table 1 to the Agreement. There are no outstanding issues related to the Agreement between the parties that require the assistance of mediation or arbitration.

## **III. STANDARD FOR REVIEW**

The statutory standard of review under Section 252(e) of the Act states:

(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) under subsection (a) if it finds Grounds for Rejection. The State commission may only reject.
  - (A) an agreement (or any portion thereof) adopted by negotiation 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; or...

CenturyLink further states that the Agreement is consistent with the public interest, convenience and necessity in that it allows for full and fair competition and greater choice for the consumer. The Agreement does not discriminate against other carriers who are not a party to the Agreement because the terms of the Agreement are equally available to any other carrier.

#### **IV. REQUEST FOR APPROVAL**

CenturyLink seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act. CenturyLink and Level 3 believe that the implementation of this Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement promotes diversity in providers, provides interconnectivity, and increases customer choices for telecommunications services.

CenturyLink and Level 3 respectfully request that the Commission grant approval of the Agreement, without change, suspension or other delay in its implementation.

#### **V. CONCLUSION**

WHEREFORE, for the foregoing reasons, CenturyLink requests that the Commission approve the Collocation Amendment to the Traffic Exchange Agreement between CenturyLink and Level 3 Communications, LLC.

Respectfully submitted,

/s/ **Tim Opitz**

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### **REQUEST FOR WAIVER**

By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, Commissioner Advisor, Regulatory Law Judge, member of the General Counsel or any member of their support team in the sixty (60) days prior to the filing date of this application regarding any substantive issue included in this filing. If any communication of this sort has occurred in the previous sixty (60) day period, I further certify this application was held until sixty (60) days have passed from the date of the subject communication, or we have requested a waiver for good cause as allowed by Commission Rule 20 CSR 4240-4.017(1)(D).

Respectfully submitted,

**/s/ Tim Opitz**

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 11th day of May, 2022, a copy of the above and foregoing Application of CenturyLink for Approval of the Collocation Amendment to the Traffic Exchange Agreement was served via email and/or U.S. Mail, postage prepaid, to each of the following:

Office of the Public Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, Missouri 65101  
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