

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Confirmation of)
Adoption of)
an Interconnection Agreement with) Cause No. _____
CenturyTel of Missouri, LLC d/b/a)
CenturyTel and Spectra Communications)
Group, LLC, d/b/a CenturyTel by)
Socket Telecom, LLC.)

CONFIRMATION OF ADOPTION OF INTERCONNECTION AGREEMENT

COMES NOW Socket Telecom, LLC ("Socket"), and respectfully requests the Commission to accept this Confirmation of Adoption of Interconnection Agreement under 47 USC 252(i) and 47 CFR 51.809 and 4 CSR 240-2.060. In support of its filing Socket states as follows:

1. Socket is a certificated competitive local exchange company in the State of Missouri, certificated to provide service in the CenturyTel of Missouri, LLC d/b/a CenturyTel and Spectra Communications Group, LLC d/b/a CenturyTel (herein collectively "CenturyTel") service territory and other parts of the state. Socket is a Missouri limited liability company in good standing with its principal place of business located at 1005 Cherry Street, Suite 104, Columbia, Missouri 65201, and it can be reached as follows: telephone - 573-257-6200, Fax Number: 573-256-6201, e-mail: rmkohly@sockettelecom.net. A certificate of good standing from the Missouri Secretary of State is filed herewith.

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

Carl J. Lumley
Leland B. Curtis
Curtis, Heinz, Garrett & O'Keefe, PC
130 S. Bemiston, Suite 200
Clayton, Missouri 63105
Telephone: (314) 725-8788
Facsimile: (314) 725-8789
Email: clumley@lawfirmemail.com
lcurtis@lawfirmemail.com

3. Socket hereby confirms its prior adoption of the Interconnection Agreement between CenturyTel and AT&T ("the Agreement") for the State of Missouri. On April 14, 2000, the Commission authorized Spectra's acquisition of exchanges from GTE Midwest, Inc. in Case No. TM-2000-182. In connection with obtaining that authorization, Spectra agreed to abide by the terms of GTE's existing interconnection agreements. One such existing agreement was the agreement between GTE and AT&T that the Commission had approved in Case No. TO-97-63. On March 1, 2001, the Commission approved Spectra's use of the name CenturyTel to conduct business pursuant to the two companies' plan to operate as one in the state. (Case No. TO-2001-437). On May 31, 2002, the Commission authorized CenturyTel of Missouri, LLC d/b/a CenturyTel to acquire the remaining exchanges of GTE Midwest in Case No. TM-2002-232. In connection with obtaining that authorization, CenturyTel agreed to abide by the terms of GTE's existing interconnection agreements including the GTE/AT&T agreement. In approving the transfer of assets, the Commission noted the close relationship between CenturyTel of Missouri, LLC to Spectra Communications Group, LLC d/b/a CenturyTel and relied upon the relationship to find that CenturyTel of Missouri, LLC d/b/a CenturyTel possessed the experience, skills, and financial resources to operate in Missouri. The Commission stated: "CenturyTel is a member of a corporate family that constitutes a major provider of telecommunications services in the United States. At least two related entities --CenturyTel of Northwest Arkansas and Spectra Communications Group, LLC, d/b/a CenturyTel -- already provide telecommunications services in Missouri at an acceptable level of quality. CenturyTel possesses the experience, skills and financial resources to operate a 96-exchange incumbent local exchange company."

4. On June 27, 2002 the Commission recognized the adoption of the GTE/AT&T agreement by Socket in Case No. TK-2002-1085 pursuant to an application that was filed on May 20, 2002.

Since June 27, 2002 CenturyTel has conducted business with Socket in its exchanges pursuant to the adopted GTE/AT&T agreement without regard to whether an exchange was acquired in the Spectra transaction or in the CenturyTel transaction. However, on September 9, 2004, CenturyTel abruptly asserted that Socket did not have an interconnection agreement that applied to the exchanges acquired in the Spectra transaction. Contrary to this assertion, the prior adoption by Socket of the GTE/AT&T agreement does apply, as confirmed by the Commission's orders in Case Nos. TM-2000-182 and TM-2002-232 as well as by the conduct of the parties over the years. To eliminate the issues raised by CenturyTel's abrupt change in position, Socket has filed this Confirmation. Socket requests that it be excused from re-filing the agreement, as it was already submitted in Case No. TK-2002-0185.

5. Socket is serving a copy of this pleading upon CenturyTel concurrent with making this filing.

6. Except as further set out herein, Socket hereby confirms adoption of the terms of the Agreement. Socket's name is substituted in place of AT&T's name in the Agreement wherever appropriate.

7. Notice to Socket as may be required under the Agreement is to be provided as follows:

To: Socket Telecom, LLC
Matt Kohly
1005 Cherry Street, Ste. 104
Columbia, MO 65201
Telephone 573.777.1991, ext. 551
Facsimile 573.256.6201
e-mail: rmkohly@sockettelecom.net

Copy: Curtis, Heinz, Garrett & O'Keefe
Carl Lumley
130 S. Bemiston, Suite 200
Clayton, MO 63105
Telephone: 314-725-8788
Facsimile: 314-725-8789
e-mail: clumley@lawfirmemail.com

Socket understands that notice to CenturyTel as may be required under the Agreement is to be provided as follows:

To: CenturyTel
Attn: Director Carrier Relations
100 CenturyTel Drive
Monroe, LA 71203
(318) 330-6148

Copy: CenturyTel
Attn: Director External Affairs
911 North Bishop, Suite C-207
Texarkana, TX 75501
(903) 792-3499

8. Socket's adoption of the Agreement became effective on June 27, 2002 and shall terminate pursuant to the Agreement.

9. Socket understands that CenturyTel did not provide the Agreement as either a voluntary or negotiated agreement but rather that it was available for adoption under Section 252(i) and 47 CFR 51.809. Socket understands that, pursuant to 47 CFR 51.809(b), CenturyTel is not required to provide a particular interconnection, service or element where it proves to the state commission (i) that the costs of providing it would be greater than the cost of providing it to the carrier that originally negotiated the agreement, or (ii) that it would not be technically feasible.

10. Socket understands that pursuant to the FCC's ruling in Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Inter-carrier Compensation for ISP-bound Traffic, CC Docket No. 96-98, CC Docket No. 99-68, (April 27, 2001), local exchange carriers could not as of May 15, 2001, opt into an existing Interconnection Agreement with regard to the rates paid for the exchange of ISP-bound traffic.

11. Socket understands that the Agreement as adopted is subject to any and all applicable laws, rules, or regulations that subsequently may be prescribed by any federal, state or local governmental authority.

12. Socket understands that when non-recurring charges applicable to Interconnection, Resale and Unbundling are specifically identified in the Agreement as being set forth in CenturyTel's local tariff, such rates apply without any discounts that may be described in the tariff.

13. Socket acknowledges that CenturyTel contends that it has not waived its right to maintain at some point during the term of the Agreement that it is a rural telephone company entitling it to exemption under 47 U.S.C. 251(f).

14. Socket does not have any pending action or final unsatisfied 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. Socket has no overdue annual reports or assessment fees.

WHEREFORE, Socket respectfully submits this Confirmation of Adoption of Interconnection Agreement and requests that the Commission take notice of such adoption pursuant to its authority to regulate telecommunications carriers in the State of Missouri and 47 USC 252(i).

STATE OF MISSOURI)
)
COUNTY OF BOONE) SS.


VERIFICATION

I, R. MATTHEW, KOHLY, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and an employee of Socket Telecom, LLC. I am authorized to act on behalf of Socket Telecom, LLC, regarding the foregoing document. I have read the Confirmation and I am informed and believe that the matters contained therein are true. Further, I hereby confirm that Carl J. Lumley, Leland B. Curtis, and Curtis, Heinz, Garrett & O'Keefe, P.C., 130 S. Bemiston, Suite 200, Clayton, Missouri 63105, are authorized to sign all pleadings and documents necessary to obtain the decision of the Missouri Public Service Commission on the foregoing Confirmation, and to represent Socket Telecom, LLC in this proceeding.


R. Matthew Kohly

On this 15th day of September, 2004, before me, a Notary Public, personally appeared R. Matthew Kohly, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and an employee of Socket Telecom, LLC, he signed the foregoing document as an employee of Socket Telecom, LLC, and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.


Notary Public

My Commission Expires:

Susan Barlow, Notary Public
State of Missouri, County of Boone
My Commission Expires March 20, 2005



Respectfully submitted,

CURTIS, HEINZ,
GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

Carl J. Lumley, #32869
Leland B. Curtis, #20550
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
(314) 725-8789 (FAX)
clumley@lawfirmemail.com
lcurtis@lawfirmemail.com

Attorneys for Socket Telecom, LLC

Certificate of Service

A true and correct copy of the foregoing document was mailed this 15th day of September, 2004, by placing same in the U.S. Mail, postage paid to:

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

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

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

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

Fischer & Dority
101 Madison, Suite 400
Jefferson City, Missouri 65101

/s/ Carl J. Lumley

STATE OF MISSOURI



Matt Blunt
Secretary of State

**CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING**

I, MATT BLUNT, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

**SOCKET TELECOM, LLC
LC0050887**

was created under the laws of this State on the 11th day of May, 2001, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 15th day of September, 2004

A handwritten signature of Matt Blunt in black ink.

Secretary of State

