

**FISCHER & DORITY**  
PROFESSIONAL CORPORATION

James M. Fischer  
Larry W. DORITY

Attorneys at Law  
Regulatory & Governmental Consultants

101 Madison, Suite 400  
Jefferson City, MO 65101  
Telephone: (573) 636-6758  
Fax: (573) 636-0383

December 2, 2002

**FILED<sup>3</sup>**

**DEC 02 2002**

**Missouri Public  
Service Commission**

Secretary of the Commission  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, Missouri 65102-0360


RE: *In the matter of the Application of CenturyTel of Missouri, LLC for approval of its Resale Agreement with Delta Phones, Inc. under 47 U.S.C. § 252.*

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and five (5) copies of the Application of CenturyTel of Missouri, LLC for Approval of Resale Agreement with Delta Phones, Inc. A copy of the seriatim numbered Resale Agreement is attached to the Application. A copy of the Application and Resale Agreement has been hand-delivered or mailed this date to each party of record.

Thank you for your attention to this matter.

Sincerely,

  
Larry W. DORITY

/jr  
Enclosures

cc: Office of the Public Counsel  
Dana K. Joyce  
Jon E. Davis/Delta Phones, Inc.

FILED<sup>3</sup>

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

DEC 02 2002

Missouri Public  
Service Commission

In the matter of the Application of )  
CenturyTel of Missouri, LLC ) Case No. \_\_\_\_\_  
for approval of its Resale Agreement with )  
Delta Phones, Inc. under 47 U.S.C. § 252. )

**APPLICATION OF CENTURYTEL OF MISSOURI, LLC  
FOR APPROVAL OF RESALE AGREEMENT  
WITH DELTA PHONES, INC.**

**COMES NOW** CenturyTel of Missouri, LLC ("CenturyTel") and hereby applies for approval by the Missouri Public Service Commission ("Commission") of the accompanying Resale Agreement voluntarily entered into by CenturyTel and Delta Phones, Inc. ("Delta Phones"), pursuant to the federal Telecommunications Act of 1996 (the "Act") under 47 U.S.C. § 252(e).

1. The legal name and principal place of business of CenturyTel is:

CenturyTel of Missouri, LLC  
100 CenturyTel Drive  
Monroe, Louisiana 71203  
Telephone: (318) 388-9000  
Facsimile: (318) 388-9072

2. CenturyTel is a Louisiana limited liability corporation that is duly authorized to do business in the state of Missouri. Copies of CenturyTel's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State were filed in Case No. TM-2002-232, *In the Matter of the Joint Application of GTE Midwest, Inc., d/b/a Verizon Midwest and CenturyTel of Missouri, LLC for 1) Authority to Transfer and Acquire Part of Verizon Midwest's*

*Franchise, Facilities and System Located in the State of Missouri; 2) For Issuance of Certificate of Service Authority to CenturyTel of Missouri, LLC; 3) To Designate CenturyTel of Missouri, LLC as Subject to Regulation as a Price Cap Company; and 4) To Designate CenturyTel of Missouri, LLC as a Telecommunications Carrier Eligible to Receive Federal Universal Service Support, and are incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). Pursuant to the Commission's Report and Order issued in Case No. TM-2002-232, CenturyTel provides basic local and interexchange telecommunications services in Missouri. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to:*

Larry W. Dority  
FISCHER & DORITY, P.C.  
101 Madison, Suite 400  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383

3. Delta Phones is a Missouri certificated competitive basic local exchange carrier (Case No. TA-2000-272, issued January 25, 2000).

4. CenturyTel has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

In support of this Application, CenturyTel states the following:

**I. RESALE AGREEMENT REACHED**

CenturyTel presents to this Commission for approval the Resale Agreement Between CenturyTel of Missouri, LLC and Delta Phones, Inc. ("Agreement") that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all of the complex issues involved in such an agreement, the parties signed the Resale Agreement on October 21, 2002, and hereby file the Agreement, together with two appendices incorporated therein. There are no outstanding issues between CenturyTel and Delta Phones that need the assistance of mediation or arbitration.

**II. REQUEST FOR APPROVAL**

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

CenturyTel respectfully requests that the Commission grant approval of this Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise between CenturyTel and Delta Phones.

**III. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Act, which provides:

(e) APPROVAL BY STATE COMMISSION

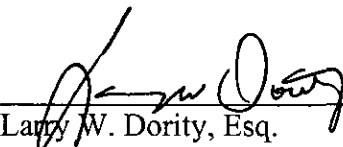
- (1) APPROVAL REQUIRED. – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION. – The State Commission may only reject –
  - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds 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; . . . .

**IV. MISSOURI LEGISLATION**

The negotiated and executed Agreement is consistent with Missouri Senate Bill 507, which became effective on August 28, 1996.

**WHEREFORE**, CenturyTel of Missouri, LLC respectfully requests the Commission to enter an Order approving its Resale Agreement with Delta Phones, Inc.

Respectfully submitted,

  
\_\_\_\_\_  
Larry W. Dority, Esq. MBN 25617  
FISCHER & DORITY, P.C.  
101 Madison, Suite 400  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383  
E-mail: lwdority@sprintmail.com

Attorneys for CenturyTel of Missouri, LLC

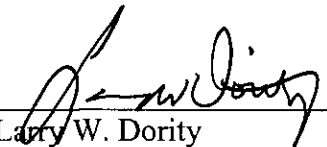
## CERTIFICATE OF SERVICE

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 2nd day of December, 2002, to:

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City MO 65102

Dana K. Joyce  
General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City MO 65102

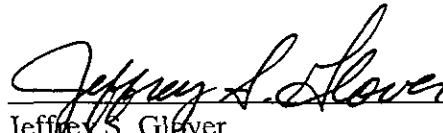
Jon E. Davis, Vice President  
Delta Phones, Inc.  
105 Illinois, P.O. Box 784  
Delhi, LA 71232

  
\_\_\_\_\_  
Larry W. Dority

**AFFIDAVIT OF VERIFICATION**

STATE OF LOUISIANA            )  
  ) ss.  
PARISH OF OUACHITA         )

Jeffrey S. Glover, being first duly sworn, on his oath and in his capacity as Vice President, External Relations, states that he is authorized to execute on behalf of CenturyTel of Missouri, LLC this Application for Approval of its Resale Agreement with Delta Phones, Inc., and has knowledge of the matters stated in this Application, and that said matters are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
Jeffrey S. Glover  
Vice President, External Relations  
CenturyTel of Missouri, LLC

Subscribed and sworn to before me this 19 day of November, 2002.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: AT DEATH

