

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

In the Matter of Southwestern Bell Telephone, L.P.)	
d/b/a AT&T Missouri's Revision to its General)	Case No. IT-2007-0187
Exchange Tariff, PSC Mo. No. 35, Regarding)	Tariff No. JI-2007-0260
Provision of 811 Service.)	

**PETITION FOR LEAVE TO FILE *AMICUS* BRIEF
IN SUPPORT OF TARIFF APPROVAL**

COME NOW CenturyTel of Missouri, LLC, Spectra Communications Group, LLC d/b/a CenturyTel (collectively "CenturyTel") and Windstream Missouri, Inc. ("Windstream") (all collectively referred to herein as "Petitioners"), pursuant to Commission Rule 4 CSR 240-2.075(6) and the Commission's Order Setting Briefing Schedule issued in this matter on December 22, 2006 ("Order"), and for their Petition for leave to file a brief as an *amicus curiae* in support of the subject tariff respectfully state as follows:

1. Petitioners are incumbent local exchange telephone companies ("ILECs") as defined by Missouri law and provide telecommunications service in certified areas of the state of Missouri. Petitioners are "telecommunications companies" and "public utilities" as those terms are defined by Section 386.020, RSMo. 2000 and are therefore subject to the jurisdiction, regulation and control of the Commission as provided by law.

2. In the Commission's Order of December 22, 2006, the Commission announced that it would allow one round of post-hearing briefs with no reply briefs, and ordered that any party who wishes to file a post-hearing brief in this matter shall do so no later than January 17, 2007.

3. The sole issue identified by the parties to this case, as reflected in the “Joint List of Issues, Order of Witnesses and Order of Cross-Examination” filed by the Staff of the Commission on December 8, 2006, is: “How are the costs associated with implementation of 811 to be recovered?”

4. Pursuant to the Federal Communications Commission’s March 14, 2005 Sixth Report and Order in the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, 20 FCC Rcd 5539 (2005), Petitioners will be filing proposed tariffs with this Commission in the near future to offer 811 service. CenturyTel currently has other N11-related services tariffed in Missouri, for which a subscriber pays for the service.¹ Accordingly, Petitioners have a vital interest in the subject matter of this proceeding and are so situated that the disposition of this action may, as a practical matter, impact their interests. Petitioners have a unique perspective based on their expertise and the status of state-approved 811 tariffs in other jurisdictions, which renders their attached *amicus* brief desirable and relevant to a determination of this case. Therefore, it is in the public interest to allow Petitioners to file the attached *amicus* brief.

¹ Windstream currently has “911” tariffs in effect in Missouri, and will be filing a comprehensive N11 tariff.

WHEREFORE, CenturyTel of Missouri, LLC, Spectra Communications Group, LLC d/b/a CenturyTel and Windstream Missouri, Inc. respectfully request that the Commission grant leave for the Petitioners to file the *Amicus Curiae* Brief that is being submitted simultaneously herewith in support of the subject tariff.

Respectfully submitted,


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CERTIFICATE OF SERVICE

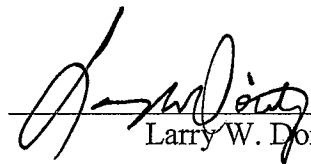
I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 17th day of January, 2007, to:

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**AMICUS CURIAE BRIEF
OF CENTURYTEL AND WINDSTREAM
IN SUPPORT OF TARIFF APPROVAL**

COME NOW CenturyTel of Missouri, LLC, Spectra Communications Group, LLC d/b/a CenturyTel (collectively "CenturyTel") and Windstream Missouri, Inc. ("Windstream"), by and through their undersigned counsel and, pursuant to Commission Rule 4 CSR 240-2.075(6) and the Commission's Order Setting Briefing Schedule issued in this matter on December 22, 2006, respectfully submit their *Amicus Curiae* Brief in support of the subject tariff.

The sole issue identified by the parties to this case, as reflected in the "Joint List of Issues, Order of Witnesses and Order of Cross-Examination" filed by the Staff of the Commission on December 8, 2006, is: "How are the costs associated with implementation of 811 to be recovered?"

CenturyTel and Windstream wish to go on record in this matter in support of Commission approval of AT&T Missouri's proposed 811 service tariff. Such approval will appropriately impose the charge on the entity that utilizes and benefits from 811 service.

Pursuant to the Federal Communications Commission's March 14, 2005 Sixth Report and Order in the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements, 20 FCC Rcd 5539 (2005), CenturyTel and Windstream will be filing

proposed tariffs with this Commission in the near future to offer 811 service. CenturyTel currently has other N11-related services tariffed in Missouri, for which a subscriber pays for the service.¹ As noted by Staff Counsel in his Opening Statement, Staff has looked at these parallel situations and believes that it's reasonable for the Commission to act in the same way in this proceeding and, thus, Staff recommends that the Commission approve the subject tariff.

. . . Staff's looked at parallel situations from the past involving, as has been previously discussed in the other openings, 211, 311, 511.

The Commission has permitted tariff sheets to go into effect that charge for those types of services that covered the implementation costs and placed those costs on an entity that was involved with receiving that type of service. Staff, therefore, believes that it's reasonable for the Commission to act again in the same way in this case and recommends the Commission approve the tariff sheets.²

Other local exchange company subsidiaries of CenturyTel, Inc. and Windstream Communications currently have 811 service tariffed³ and in effect in the following states. CenturyTel: Alabama, Arkansas, Colorado, Idaho, Minnesota, Mississippi, Montana, New Mexico, Ohio, Oklahoma, Oregon, Tennessee, Washington Wisconsin and Wyoming. Windstream: Alabama, Florida, Georgia, Mississippi, North Carolina, Oklahoma and South Carolina. In each of these states, the tariff includes a charge upon the entity that uses the service, *e.g.*, the one-call notification system operator. The Commission's approval of AT&T Missouri's proposed tariff would be consistent with the regulatory treatment of 811 service in these states.

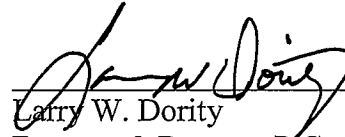
¹ Windstream currently has "911" tariffs in effect in Missouri, and will be filing a comprehensive N11 tariff.

² Tr. 34.

³ Most, if not all, tariffs are "N11" tariffs, of which 811 is a component service.

CenturyTel and Windstream respectfully submit that the Commission should approve AT&T Missouri's proposed 811 service tariff as filed.

Respectfully submitted,



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CERTIFICATE OF SERVICE

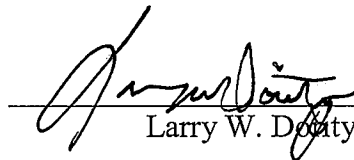
I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 17th day of January, 2007, to:

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