

In the Matter of a Notice of Election of)
Spectra Communications Group, LLC, d/b/a) Case No.
CenturyTel for Waiver of Commission Rules)
and Statutes Pursuant to Section 392.420, RSMo.)

² Section 386.020, RSMo, as revised by House Bill 1779, effective August 28, 2008.

2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Becky Owenson Kilpatrick
220 Madison Street
Jefferson City, Missouri 65101
Telephone: (573) 634-4261
Facsimile: (573) 636-6826
becky.kilpatrick@centurytel.com

3. Spectra has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that 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.

4 Section 392.420, RSMo, states in relevant part:

*“In the case of an application for certificate of service authority to provide basic local telecommunications service filed by an alternative local exchange telecommunications company, and for all existing alternative local exchange telecommunications companies, the commission shall waive, at a minimum, **the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340.** Notwithstanding any other provision of law in this chapter and chapter 386, RSMo, *where an alternative local exchange telecommunications company is authorized to provide local exchange telecommunications services in an incumbent local exchange telecommunications company’s authorized service area, the incumbent local exchange telecommunications company may opt into all or some of the above-listed statutory and commission rule waivers by filing a notice of election with the commission that specifies which waivers are elected.* In addition, where an interconnected voice over Internet protocol service provider is registered to provide service in an incumbent local exchange telecommunications company’s authorized service area under section 392.550, the incumbent local exchange telecommunications company may opt into all or some of the above-listed statutory and commission rule waivers by filing a notice of election with the commission that specifies which waivers are elected.”*

(emphasis added).

5. Under Section 392.420, RSMo, where there is an alternative local exchange telecommunications company authorized to provide local exchange telecommunications services

in an incumbent local exchange telecommunications company's authorized service area, the incumbent local exchange telecommunications company may opt into the statutory and commission rule waivers. Spectra respectively submits that one or more alternative local exchange telecommunications company is authorized to provide local exchange telecommunications services in Spectra's authorized service area.

6. The Commission has found in numerous cases that alternative local exchange carriers are authorized to provide local exchange telecommunications services in Spectra's exchanges. Following is a partial list of such alternative local exchange telecommunications companies, including the case number in which the Commission authorized such companies to provide local exchange telecommunications service in Spectra's authorized service area:

- a. Charter Fiberlink – Missouri, LLC obtained a Certificate to Provide Basic Local and Interexchange Telecommunications Services within Missouri, including the exchanges now owned by Spectra, on April 5, 2001, in Case No. TA-2001-346.
- b. Socket Telecom, LLC obtained a Certificate to Provide Basic Local and Interexchange Telecommunications Services within Missouri, including the exchanges owned by Spectra, on August 13, 2001, in Case No. TA-2001-0671.
- c. Chariton Valley Telecom Corporation obtained a Certificate to Provide Basic Local Telecommunications Services within Missouri, including the exchanges owned by Spectra, on June 4, 2002, in Case No. TA-2002-0238.
- d. Mark Twain Communications Company obtained a Certificate to Provide Basic Local Telecommunications Services within Missouri, including the exchanges now owned by Spectra, on November 30, 1999, in Case No. TA-98-305.

- e. MCC Telephony of Missouri, Inc., obtained a Certificate to Provide Basic Local Telecommunications Services within Missouri, including the exchanges owned by Spectra, on May 15, 2005, in Case No. LA-2005-0150.

6. Further, the Commission has found in a number of cases that such alternative local exchange telecommunications providers are actively competing against Spectra for its local residential and business customers in numerous exchanges throughout Missouri. *See In the Matter of Spectra Communications Group, LLC, d/b/a CenturyTel's Request for Competitive Classification Pursuant to Section 392.245.5, RSMo.*, Case No. IO-2008-0243; *In the Matter of Spectra Communications Group, LLC, d/b/a CenturyTel's Request for Competitive Classification Pursuant to Section 392.245.5, RSMo.*, Case No. IO-2007-0439; *In the Matter of Spectra Communications Group, LLC, d/b/a CenturyTel's Request for Competitive Classification Pursuant to Section 392.245.5, RSMo.*, Case No. IO-2006-0317; and *In the Matter of Spectra Communications Group, LLC, d/b/a CenturyTel's Request for Competitive Classification Pursuant to Section 392.245.5, RSMo.*, Case No. IO-2006-0108.

7. Moreover, in a recent decision following staff's review of the competitive classification granted in the above-referenced cases, the Commission found competition by alternative local exchange carriers continued to exist in Spectra's exchanges. *See In the Matter of the Review of the Competitive Classification of the Exchanges of Spectra Communications Group, LLC, d/b/a CenturyTel*, Case No. IO-2008-0097.

8. By opting into the waivers contained in this Notice of Election, Spectra does not waive any right or opportunity to seek additional waivers in the future. Moreover, Spectra is

currently analyzing House Bill 1779³ in order to fully understand the scope and effect of this legislation.

9. Spectra hereby exercises its statutory right to elect to opt into the waiver of the application and enforcement of quality of service and billing standards rules and the statutory requirements listed in Section 392.420, RSMo. The specific rules and statutes to be waived are listed in Attachment A.

WHEREFORE, Spectra hereby provides the Commission with written notice of its election to opt into waivers of certain rules and statutes pursuant to Section 392.420, RSMo, commencing on the date of this filing.

Respectfully submitted,

/s/ Becky Owenson Kilpatrick

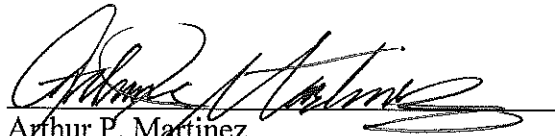
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*Attorney for Spectra Communications Group, LLC
d/b/a CenturyTel*

³ Effective August 28, 2008.

VERIFICATION

I, Arthur P. Martinez, Director Government Relations for CenturyTel, hereby verify and affirm that I have read the foregoing Notice of Election for Waiver of Commission Rules and Statutes, and that the statements contained therein are true and correct to the best of my information and belief.


Arthur P. Martinez

Subscribed and sworn to before me on this 2nd day of September 2, 2008.


Notary Public

My Appointment Expires:

TINA L BENOIT Notary Public - Notary Seal STATE OF MISSOURI Callaway County - Comm# 08536190 My Commission Expires Apr 16, 2012

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 2nd day of September, 2008, a copy of the above and foregoing document and attachment were served via electronic mail, facsimile or U.S.

Mail, postage prepaid to each of the following:

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/s/ Becky Owenson Kilpatrick