

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

Application of Chariton Valley Telecom)	
Corporation for Approval of a)	
Traffic Termination Agreement)	Case No. _____
under the Telecommunications Act)	
of 1996.)	

**APPLICATION OF CHARITON VALLEY TELECOM CORPORATION FOR
APPROVAL OF A TRAFFIC TERMINATION AGREEMENT UNDER THE
TELECOMMUNICATIONS ACT OF 1996**

COMES NOW Chariton Valley Telecom Corporation (“Chariton Valley”) and hereby files its Application for Approval of a Traffic Termination Agreement between Chariton Valley and United States Cellular Corporation (“US Cellular”) under the Telecommunications Act of 1996 (“the Act”). In support of this application, Chariton Valley states to the Commission as follows:

1. Chariton Valley is an alternative or competitive local exchange carrier operating in Macon, Missouri.
2. Chariton Valley is a Missouri corporation in good standing with the Missouri Secretary of State.
3. Correspondence, orders, and decisions in this matter directed to Chariton Valley should be addressed to:

James Simon
General Manager
Chariton Valley Telecom Corp.
Macon, MO 63552

and to:

Craig S. Johnson
Attorney at Law
1648-A East Elm
Jefferson City, MO 65101

4. US Cellular is a commercial mobile radio service carrier operating in Missouri.

5. Correspondence, orders, and decision in this matter directed to US Cellular should be addressed to:

James Nauman
United States Cellular Corporation
8410 W. Bryn Mawr, Ste. 700
Chicago, IL 60631

and to:

Stephen P. Fitzell
c/o Sidley Austin Brown & Wood, LLP
Bank One Plaza
10 S. Dearborn St.
Chicago, IL 60603

I. AGREEMENT REACHED

6. On September 29, 2005, after good faith negotiations, Chariton Valley and US Cellular executed a Traffic Termination Agreement pursuant to the terms of the Act (Attachment I).

7. Pursuant to Section 252 of the Telecommunications Act, Chariton Valley hereby submits this Agreement for approval by the Commission.

8. The Agreement complies with Section 252(e) of the Act. The Agreement is consistent with the public interest, convenience, and necessity and does not discriminate against any telecommunications carrier. The Agreement consists of 25

pages, consecutively numbered. There are no outstanding issues between Chariton Valley and US Cellular that need the assistance of mediation or arbitration.

II. REQUEST FOR APPROVAL

9. Chariton Valley respectfully requests that the Commission grant expeditious approval of this agreement, without change, suspension or delay in its implementation. This is a bilateral agreement, reached as a result of negotiations and compromise between the parties.

III. COMMISSION AUTHORITY

10. Under the Federal Telecommunications Act of 1996 (“the Act”), the Commission has the authority to grant the relief requested by Chariton Valley. Specifically, section 252 (a) of the act provides:

(a) Agreements Arrived at Through Negotiations

(1) Voluntary Negotiations - upon receiving a request for interconnection, services, or network elements pursuant to section 251, an incumbent local exchange carrier may negotiate and enter into a binding agreement with requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of section 251. The agreement shall include a detailed schedule of itemized charges for interconnection in each service or network element included in the agreement. The agreement, including any interconnection agreement negotiated before the date of enactment of the Telecommunications Act of 1996, shall be submitted to the state commission under subsection (e) of this section.

IV. STANDARD OF REVIEW

11. Under Section 252 of the Act, the Commission has the authority to approve this negotiated agreement. The Commission may only reject an agreement, if the agreement is discriminatory to a nonparty or is inconsistent with the public interest, convenience, and necessity. Section 252(e)(2) of the act provides as follows:

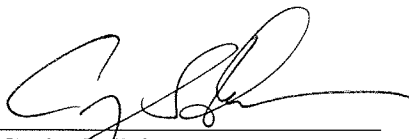
Grounds for Rejection -- The State Commission may only reject –

- (A) an agreement (or any portion thereof) adopted by negotiation under section (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;

12. The verification of Mr. James Simon, General Manager of Chariton Valley Telecom Corporation, which follows, establishes that the agreement satisfies these standards.

V. PRAYER FOR RELIEF


WHEREFORE, Chariton Valley respectfully requests the Commission to issue an order that: (1) approves expeditiously the traffic termination agreement between Chariton Valley and US Cellular, and (2) grant such other relief as is reasonable in circumstances.



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Jefferson City, MO 65101
(573) 632-1900
(573) 634-6018 (fax)
craig@csjohnsonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was mailed to the attorneys for Staff, OPC, and United States Cellular by electronic mail this 11 day of October, 2005.


Craig S. Johnson

VERIFICATION

I, James Simon, General Manager of Chariton Valley Telecom Corporation, hereby verify that I am over the age of twenty-one, and have personal knowledge of the agreement between Chariton Valley and US Cellular.

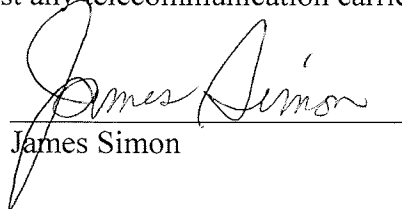
The parties negotiated diligently under the Telecommunication Act of 1996, culminating in the executed agreement for which approval is sought by this Application.

The Agreement is the result of negotiation and compromise.

There are no outstanding issues between the parties and that need the assistance of mediation or arbitration if this Agreement is approved.

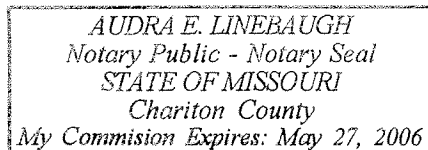
Approval of this Agreement is consistent with the public interest, convenience, and necessity, as it will allow the exchange of traffic between Chariton Valley and US Cellular.

This Agreement does not discriminate against any telecommunication carrier.

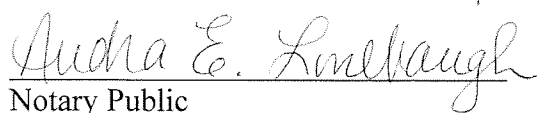

James Simon

STATE OF MISSOURI)
)
COUNTY OF MACON)

(notary seal)



Before me this 6th day of October, 2005, personally appeared James Simon, duly sworn and on his oath depose and said the foregoing verification was true to the best of his knowledge, information, and belief.


Notary Public