

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

In Re: The Master Resale Agreement by	)	
and Between Embarq Missouri, Inc. and	)	
Universal Telecom, Inc. Pursuant to	)	Case No. IK-2008-0102
Sections 251 and 252 of the	)	
Telecommunications Act of 1996.	)	

**STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission and for its recommendation states:

1. On October 10, 2007, Embarq Missouri, Inc. d/b/a Embarq filed an application with the Commission for approval of a master resale agreement with Universal Telecom, Inc. (Universal) under the provisions of the federal Telecommunications Act of 1996.

2. Embarq stated that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act because it is not discriminatory to nonparty carriers and it is consistent with the public interest.

3. Even though Universal is a party to the agreement, it did not join in the application, therefore, the Commission joined AT&T as a party on October 12, 2007 in order to ensure a full and fair adjudication of this matter.

4. The federal Telecommunications Act of 1996 provides that an interconnection or resale agreement must be approved unless the Commission determines that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is inconsistent with the public interest, convenience, or necessity.

5. The Staff of the Missouri Public Service Commission has reviewed the proposed agreement and prepared a memorandum, attached hereto as Appendix A.

6. In its memorandum, Staff states that it believes that the proposed agreement meets the limited requirements of the Telecommunications Act of 1996.

7. Specifically, Staff believes that the proposed agreement does not discriminate against telecommunications carriers not a party to the agreement and the proposed agreement is not against the public interest, convenience, or necessity.

8. Furthermore, Staff recommends that the Commission direct the parties to submit any modifications or amendments to the Commission.

WHEREFORE, the Staff recommends that the Commission approve the master resale agreement and find that the proposed agreement does not discriminate against telecommunications carriers not a party to the agreement and the proposed agreement is not against the public interest, convenience, or necessity. Staff further recommends that the Commission direct the parties to submit any modifications or amendments to the Commission.

Respectfully submitted,

/ **Blane Baker**

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Attorney for the Staff of the  
Missouri Public Service Commission  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13<sup>th</sup> day of November 2007.

/ Blane Baker

Blane Baker

## MEMORANDUM

**To:** Missouri Public Service Commission Official Case File  
Case No. **IK-2008-0102**  
Party: Embark Missouri  
Type of Carrier:  
☒ ILEC  
☐ CLEC  
☐ Wireless

Party: Universal Telecom Inc.  
Type of Carrier:  
☐ ILEC  
☒ CLEC  
☐ Wireless

**From:** Lisa Mahaney, Telecommunications Department

William Voight	11/7/07	Blane Baker	11/7/07
Utility Operations Division/Date		General Counsel Office/Date	

**Subject:** Staff Recommendation for Approval of Interconnection Agreement or Amendment to Interconnection Agreement

**Date:** November 7, 2007

**Date Filed:** 10/10/97

**Staff Deadline:** 11/13/07

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted:

- ☒ Interconnection Agreement
- ☐ Amendment not previously approved

The parties submitted the proposed Agreement or Amendment to the Missouri Public Service Commission (Commission) pursuant to the terms of the Telecommunications Act of 1996 (Act). Staff has reviewed the proposed Agreement and believes it meets the limited requirements of the Act. Specifically, the Agreement: 1) does not discriminate against telecommunications carriers not party to the Agreement and 2) is not against the public interest, convenience or necessity. Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission.

☐ The applicants have not submitted a serially numbered copy of the Agreement or Amendment. Staff recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement or Amendment.

☒ Staff has a serially numbered copy of the Agreement or Amendment.

**Additional Interconnection Agreement or Amendment Review Items**

☒ No applications to intervene filed.

☒ Agreement or Amendment signed by both Parties.

**Additional recommendations or special considerations (if any):**

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

(☐ No annual report ☐ Unpaid PSC assessment. Amount owed:     )

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Case No. IK-2008-0102

**AFFIDAVIT OF LISA MAHANEY**

STATE OF MISSOURI     )  
  ) ss:  
COUNTY OF COLE     )

Lisa Mahaney, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.

  
\_\_\_\_\_  
Lisa Mahaney

Subscribed and affirmed before me this 7<sup>th</sup> day of November 2007.  
I am commissioned as a notary public within the County of Callaway,  
State of Missouri and my commission expires on 9-21-10



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
\_\_\_\_\_  
NOTARY PUBLIC