

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In Re: The Master Interconnection, Collocation, and)
Resale Agreement by and between Sprint Missouri,)
Inc. and KMC Telecom III, LLC, Pursuant to Sections)
251 and 252 of the Telecommunications Act of 1996)

Case No. IK-2006-0018

ORDER DIRECTING NOTICE AND
MAKING KMC TELECOM III, LLC A PARTY

Issue Date: July 15, 2005

Effective Date: July 15, 2005

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, KMC Telecom III, LLC, as a party to this proceeding.

On July 14, 2005, Sprint Missouri, Inc., filed an application with the Commission for approval of an interconnection, collocation, and resale agreement with KMC Telecom III under the provisions of the federal Telecommunications Act of 1996. Sprint states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest.

Although KMC Telecom III is a party to the agreement, it did not join in the application. Because it is a necessary party to a full and fair adjudication of this matter, the Commission will add KMC Telecom III as a party to this case.

The Telecommunications Act provides that an interconnection or resale agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is not consistent with the public interest, convenience, and necessity.¹ Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously. The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. That KMC Telecom III, LLC is made a party to this case.
3. That any party wishing to request a hearing shall do so by filing a pleading no later than August 4, 2005, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Brett D. Leopold
6450 Sprint Parkway
Overland Park, Kansas 66251
Attorney for Sprint

¹ 47 U.S.C. § 252(e).

KMC Telecom
Regulatory Affairs
Attn. Marva Brown Johnson
1755 North Brown Road
Lawrenceville, Georgia 30043

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than August 14, 2005.

5. That this order shall become effective on July 15, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 15th day of July, 2005.