

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

In the Matter of the Application of                     )  
Windstream Missouri, Inc. for Approval                )  
Of New Interconnection Agreement with                )  
MCC Telephony of Missouri, LLC                        )  
Under 47 U.S.C. § 252.                                    )

Case No. \_\_\_\_\_

**APPLICATION OF WINDSTREAM MISSOURI, INC.  
FOR APPROVAL OF  
INTERCONNECTION AGREEMENT WITH  
MCC TELEPHONY OF MISSOURI, LLC**

**COMES NOW** Windstream Missouri, Inc. ("Windstream" or "Applicant"), pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-3.513(1), and hereby applies for approval by the Commission of the accompanying Interconnection Agreement ("Agreement") voluntarily entered into by Applicant and MCC Telephony of Missouri, LLC ("MCC") pursuant to the federal Telecommunications Act of 1996 (the "Act") under 47 U.S.C. § 252(e).

1. Windstream Missouri, Inc. is a Missouri corporation duly authorized to conduct business in Missouri, as evidenced by the Certificate of Amendment filed on June 21, 2006 in Case No. IN-2006-0481, and incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). Windstream's principal office is located at 4001 Rodney Parham Road, Little Rock, Arkansas 72212. Windstream is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases is defined in Section 386.020, RSMo 2000.

2. MCC Telephony of Missouri, LLC holds authority from the Missouri Public Service Commission to operate as a competitive local exchange carrier in Missouri.

3. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to:

Larry W. DORITY  
FISCHER & DORITY, P.C.  
101 Madison, Suite 400  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383

4. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which 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.

In support of this Application, Applicant states the following:

**I. AGREEMENT REACHED**

Applicant presents to this Commission for approval the attached Interconnection Agreement ("Agreement") between Windstream Missouri, Inc. and MCC Telephony of Missouri, LLC that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all of the complex issues involved in such an agreement, the parties signed the Agreement on June 3, 2010, and hereby file the Agreement with all pages sequentially numbered. There are no outstanding issues between the parties to the Agreement that need the assistance of mediation or arbitration.

## **II. REQUEST FOR APPROVAL**

Applicant seeks the Commission's approval of the Agreement, consistent with the provisions of the Act. Applicant believes that the implementation of this Agreement complies fully with Section 252(e) of the Act because the Agreement is consistent with the public interest, convenience, and necessity, and does not discriminate against any telecommunications carrier. The Agreement promotes interconnectivity and diversity in providers, and will increase customer choices for telecommunications services.

Applicant respectfully requests that the Commission grant approval of this Agreement, without change, suspension, or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise between the Applicant and MCC Telephony of Missouri, LLC.

## **III. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Act, which provides:

- (e) APPROVAL BY STATE COMMISSION
  - (1) APPROVAL REQUIRED. – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
  - (2) GROUNDS FOR REJECTION. – The State Commission may only reject –
    - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (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; . . . .

**WHEREFORE**, Windstream Missouri, Inc. respectfully requests the Commission to enter an Order approving the attached Interconnection Agreement Between Windstream Missouri, Inc. and MCC Telephony of Missouri, LLC.

Respectfully submitted,

**/s/ Larry W. Dority**

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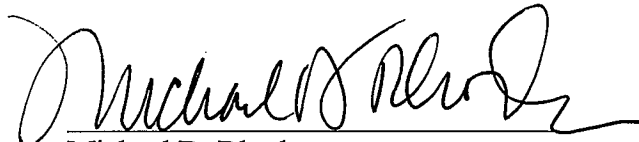
Larry W. Dority MBN 25617  
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101 Madison, Suite 400  
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Facsimile: (573) 636-0383  
E-mail: [lwdority@sprintmail.com](mailto:lwdority@sprintmail.com)

Attorneys for Windstream Missouri, Inc.

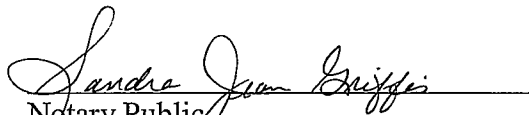
**VERIFICATION**

STATE OF ARKANSAS                    )  
  ) SS  
COUNTY OF PULASKI                )

I, Michael D Rhoda, Senior Vice President of Government Affairs for Windstream Missouri, Inc., hereby verify and affirm that I have read the foregoing Application, and that the statements contained therein are true and correct to the best of my information and belief.

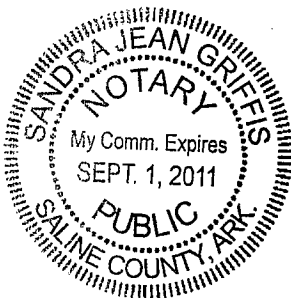
  
Michael D. Rhoda

Subscribed and sworn to before me on this 9<sup>th</sup> day of June, 2010.

  
Notary Public

My Appointment Expires:

September 1, 2011



**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 10<sup>th</sup> day of June, 2010 to:

Office of the Public Counsel  
200 Madison Street  
Jefferson City, MO 65101  
[Opcservice@ded.mo.gov](mailto:Opcservice@ded.mo.gov)

Steven Reed, General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101  
[Gencounsel@psc.mo.gov](mailto:Gencounsel@psc.mo.gov)

MCC Telephony of Missouri, LLC  
Attn: Anne Sokolin-Maimon  
Vice President, Regulatory Affairs  
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/s/ Larry W. Dority

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Larry W. Dority