

**Linda K. Gardner** Senior Attorney

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November 30, 1999

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission 301 West High Street, Suite 530 Jefferson City, MO 65101 FILED<sup>2</sup>
NOV 3 0 1999

Service Commission

TO-2000-351

Re:

In the Matter of the Master Interconnection and Resale Agreement of Sprint Missouri, Inc. d/b/a Sprint and Fidelity Communication Services I, Inc.

Dear Mr. Roberts:

Enclosed for filing with the Missouri Public Service Commission is an original and fourteen (14) copies of the Joint Application for Approval of the Master Interconnection and Resale Agreement between Sprint Missouri, Inc. d/b/a Sprint and Fidelity Communications Services I, Inc. Also enclosed is an original and five (5) copies of the proposed agreement.

If you have any questions, please do not hesitate to contact me at (913) 345-7915.

Sincerely.

Linda K. Gardner

LKG:ket Enclosures

cc: All Counsel of Record (w/ encl.)

FILED<sup>2</sup>

## BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

Service Commission
Case No. <u>T6-2000-</u> 35 mission

In re: the Master Interconnection and Resale Agreement of Sprint Missouri, Inc. d/b/a/ Sprint And Fidelity Communication Services I, Inc.

# JOINT APPLICATION OF SPRINT MISSOURI, INC. AND FIDELITY COMMUNICATION SERVICES I, INC.

COMES NOW, Sprint Missouri, Inc. ("Sprint") and Fidelity Communication Services I, Inc. (together referred to as "Joint Applicants") and hereby file this Joint Application for Approval of Master Interconnection and Resale Agreement (the "Agreement") under the Telecommunications Act of 1996 (the "Federal Act") and in support show the following:

### I. INTERCONNECTION AND RESALE AGREEMENT REACHED

Joint Applicants present to the Missouri Public Service Commission ("Commission") for approval an agreement (attached as Attachment 1) negotiated and executed pursuant to the terms of the Federal Act. After weeks of intensive good faith negotiations to address all of the complex issued involved in such an agreement, the parties executed on November 1, 1999 the attached Master Interconnection and Resale Agreement and Fidelity Communication Services I, Inc. There are no outstanding issues related to resale or interconnection between Sprint and Fidelity Communication Services I, Inc. that need the assistance of mediation or arbitration.

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#### II. REQUEST FOR APPROVAL

Sprint and Fidelity Communication Services I, Inc. seek the Commission's approval of the Agreement, consistent with the provisions of the Federal Act. Both parties believe that the implementation of this Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement promotes diversity in providers, provides interconnectivity, and increases customer choices for telecommunications services.

Sprint and Fidelity Communication Services I, Inc. respectfully request that the Commission grant expeditious approval of this Agreement, without change, suspension or other delay in its implementation.

#### III. STANDARD FOR REVIEW

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

Section 252(e) of the Federal Act:

- (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 to 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; or

The Joint Applicants state that the agreement is consistent with the public interest, convenience and necessity in that it allows for full and fair competition and greater choice for the consumer. The Joint Applicants further state that the Agreement does not discriminate against other carriers not a party to the Agreement as the terms of the Agreement are equally available to any other carrier.

#### IV. MISSOURI LEGISLATION

The negotiated and executed Agreement is consistent with the Missouri Legislation, Senate Bill No. 507, which became effective on August 28, 1996.

WHEREFORE, for the foregoing reasons, Joint Applicants pray that the Commission approve the Agreement expeditiously.

Respectfully Submitted,

SPRINT MISSOURI, INC. ("SPRINT")

Linda K. Gardner MOBar #32224

5454 W. 110<sup>th</sup> Street

Overland Park, KS 66211

Tele. (913) 345-7915 Fax. (913) 345-7568

Attorney for Sprint Missouri, Inc.

Sheldon K. Stock MOBar #18581

Greensfelder, Hemker & Gale, PC

10 S. Broadway, Suite 2000

St. Louis, MO 63102-1774

Tele. (314) 241-9090 Fax. (314) 241-6965

Attorney for

Fidelity Communication Services 1, Inc.



I, Richard D. Lawson, an officer of Sprint Missouri, Inc., hereby verify and affirm that I have read the foregoing JOINT APPLICATION OF SPRINT MISSOURI, INC. d/b/a SPRINT AND FIDELITY COMMUNICATION SERVICES I, INC. and that the statements contained herein are true and correct to the best of my information and belief.

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Richard D. Lawson, State Vice President, MO and KS  (William G. Poche, VP External Affects - million and the Subscribed and sworn before me this 29 day of November, 1999				
Subscribed and sworn before me this 49 day of November, 1999				
Kan E. Jumes				
Notary Public My Appointment Expires:		NOTARY PUBLIC - State of K.  KAREN E. TURNE  My Appt. Exp.		
I, John T. Davis, an officer of Fidelity Communication Services I, Inc., hereby verify and affirm that I have read the foregoing JOINT APPLICATION OF SPRINT MISSOURI, INC. d/b/a AND FIDELITY COMMUNICATION SERVICES I, INC. and that the statements contained herein are true and correct to the best of my information and belief.				
John	T. Davis, President		~	
Subscribed and sworn to before me	e this <u>//</u> day of Nov	vember, 1999		
Notary Public // My Appointment Expires: 02-2	1-2003	··· .		
NOTARY PUBLIC, STATE OF MISSOURI FRANKLIN COUNTY MY COMMISSION EXPIRES 2/21/2003	TIFICATE OF SERVICE	÷ <u>?</u>		
I hereby certify that on, 1999 copies of the above were mailed, by United States mail, postage prepaid, addressed to the following:				
Dan Joyce General Counsel – MOPSC 301 West High Street, Suite 530 Jefferson City, MO 65101				
Martha Hogerty Public Counsel – MOPSC 301 West High Street, Suite 530 Jefferson City, MO 65101				
Linda K. Gardner				