

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Windstream )  
Missouri, Inc. for Approval of an Amendment to )  
a Commercial Mobile Radio Services Interconnection )  
Agreement with United States Cellular Corporation )

**File No. IK-2013-0454**

## ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND MAKING UNITED STATES CELLULAR CORPORATION A PARTY

Issue Date: April 15, 2013

Effective Date: April 15, 2013

**Syllabus:** This order provides notice of this application to interested parties, establishes a deadline for intervention and for requesting a hearing, and joins the other party to the interconnection agreement, United States Cellular Corporation (“USCC”), as a party to this proceeding.

On April 12, 2013, Windstream Missouri, Inc. (“Windstream”) filed an application with the Commission for approval of a negotiated amendment to the interconnection agreement with USCC under the provisions of the federal Telecommunications Act of 1996. Windstream Missouri, Inc. states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is consistent with public interest, convenience and necessity, and not discriminatory to nonparty carriers.

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

The 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.<sup>1</sup> 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. The Commission finds that proper persons shall be allowed 15 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application shall be sent to all interexchange and local exchange telecommunications companies.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. United States Cellular Corporation is made a party to this case.
3. Any party wishing to intervene or request a hearing shall do so by filing a pleading no later than April 30, 2013, with:

Joshua Harden, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

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<sup>1</sup> 47 U.S.C. § 252(e).

Or by using the Commission's electronic filing and information service.

4. The Staff of the Commission shall file a recommendation advising either approval or rejection of this agreement and giving the reasons therefor no later than May 15, 2013.

5. This order shall become effective upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read "Joshua Harden".

Joshua Harden  
Secretary

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

Dated at Jefferson City, Missouri,  
on this 15th day of April, 2013.