

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.)

File No. IK-2010-0361

ORDER DIRECTING NOTICE AND MAKING MCC TELEPHONY OF MISSOURI, LLC A PARTY

Issue Date: June 11, 2010

Effective Date: June 11, 2010

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, MCC Telephony of Missouri, LLC, as a party to this proceeding.

On June 10, 2010, Windstream Missouri, Inc. filed an application with the Commission for approval of an interconnection agreement with MCC under the provisions of the federal Telecommunications Act of 1996. Windstream 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 MCC is a party to the agreement, it did not join in the application. Because MCC is a necessary party to a full and fair adjudication of this matter, the Commission will add it 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.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. The Commission finds that proper persons shall 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 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. MCC Telephony of Missouri, LLC is made a party to this case.
3. Any party wishing to request a hearing shall do so by filing a pleading no later than July 1, 2010, with:

Steven C. Reed, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Larry Dority
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, Missouri 65101

MCC Telephony of Missouri, LLC
Attn: Brian Walsh
100 Crystal Run Road
Middleton, NY 10941

¹ 47 U.S.C. § 252(e).

and:

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

4. 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 July 12, 2010.

5. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of June, 2010.