

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 3rd day of
February, 2010.

Southwestern Bell Telephone Company d/b/a AT&T)	
Missouri's Petition for Compulsory Arbitration of)	
Unresolved Issued for an Interconnection Agreement)	<u>File No. IO-2010-0185</u>
with Global Crossing Local Service, Inc. and Global)	
Crossing Telemanagement Inc.)	

ORDER DENYING APPLICATION FOR REHEARING

Issue Date: February 3, 2010

Effective Date: February 13, 2010

On December 17, 2009, Southwestern Bell Telephone Company d/b/a AT&T Missouri filed with the Missouri Public Service Commission a petition for arbitration of an interconnection agreement pursuant to the Telecommunications Act of 1996.¹ The Act requires that a petition for arbitration be filed no later than 160 days after AT&T received a request to negotiate the agreement. In its petition, AT&T makes references to a June 11, 2009 letter it sent to Global Crossing Local Services, Inc. and Global Crossing Telemanagement Inc. Based on the June 11 date, AT&T should have filed its petition no later than November 18. Because AT&T's petition was filed more than 160 days after the request for negotiation, the Commission dismissed the petition for lack of jurisdiction.

Upon the dismissal, AT&T filed an application for rehearing or in the alternative, a motion for leave to amend its petition. The Commission allowed AT&T to supplement its application, which AT&T did with an e-mail dated July 1, 2009 from Global to AT&T,

¹ 47 U.S.C. 252(b)(1)

requesting negotiation of the interconnection agreement. Again, based on this July 1 date, AT&T should have filed its petition with this Commission no later than December 8. Filed on December 17, the petition was out of time.

The Commission shall grant an application for rehearing “if in its judgment sufficient reason therefor be made to appear.”² Sufficient reason has not been made to appear. The Commission will therefore deny AT&T’s request for rehearing.

THE COMMISSION ORDERS THAT:

1. Southwestern Bell Telephone Company d/b/a AT&T Missouri’s application for rehearing is denied.
2. This order shall become effective on February 13, 2010.
3. This case shall be closed on February 14, 2010.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Clayton, Chm., Davis, Jarrett,
Gunn, and Kenney, CC., concur.

Jones, Senior Regulatory Law Judge

² Section 386.500 RSMo.