

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

In the Matter of the Application of Pac-West     )  
Telecomm, Inc. for Approval of Amendment     )  
to its Interconnection Agreement with     )  
Southwestern Bell Telephone Company, L.P.,     )  
d/b/a AT&T Missouri     )

**Case No. LK-2007-0189**

**ORDER GRANTING LEAVE TO APPEAR, DIRECTING NOTICE**  
**AND MAKING SOUTHWESTERN BELL TELEPHONE**  
**COMPANY, L.P. d/b/a AT&T MISSOURI A PARTY**

Issue Date: November 17, 2006

Effective Date: November 17, 2006

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Southwestern Bell Telephone Company, L.P. d/b/a AT&T Missouri (AT&T Missouri), as a party to this proceeding.

On November 14, 2006, Jesus Sifuentes filed a motion asking leave to appear on behalf of Pac-West Telecomm, Inc. Mr. Sifuentes is a member in good standing of the bar in Texas, United States District Court, Western District, and the United States Court of Appeals for the Fifth Circuit. He is not admitted to practice in Missouri. The motion designates Mark Johnson, a member of the Missouri bar, as associate counsel. Simultaneously with Mr. Sifuentes Petition, Mr. Johnson entered his appearance as associate counsel. A receipt indicating payment of the fees required by Missouri Supreme Court Rule 6.01(m) is attached to the motion.

The request for leave to appear complies with the requirements of 4 CSR 240-2.040(3)(C), and Missouri Supreme Court Rules 6.01(m) and 9.03. Mr. Sifuentes will be allowed to appear on behalf of Pelzer Communications Corporation.

On November 15, 2006, Pac-West Telecomm, Inc. (Pac-West) filed an application with the Commission for approval of an amendment to an interconnection agreement with AT&T Missouri under the provisions of the federal Telecommunications Act of 1996. Pac-West 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. Pac-West requests expeditious approval of the agreement.

Although AT&T Missouri is a party to the agreement, it did not join in the application. Because AT&T Missouri 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.<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. Therefore, the Commission will proceed with this case expeditiously. The Commission finds that proper persons shall be allowed 20 days from the issuance of this order to file a

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<sup>1</sup> 47 U.S.C. § 252(e).

motion for hearing. The Commission also finds that notice of this application shall be sent to all interexchange and local exchange telecommunications companies.

**IT IS ORDERED THAT:**

1. Jesus Sifuentes may appear before the Commission in this case on behalf of Pac-West Telecomm, Inc.

2. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.

3. Southwestern Bell Telephone Company, L.P. d/b/a AT&T Missouri is made a party to this case.

4. Any party wishing to request a hearing shall do so by filing a pleading no later than December 7, 2006, with:

Colleen M. Dale, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and send copies to:

Mark P. Johnson  
Sonnenschein Nath & Rosenthal  
4520 Main Street, Suite 1100  
Kansas City, Missouri 64111

Attorney for Pac-West Telecomm, Inc.

AT&T Missouri  
Legal Department  
One Bell Center, Room 3520  
St. Louis, Missouri 63101

and:

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

5. 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 December 18, 2006.

6. This order shall become effective on November 17, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Colleen M. Dale, Chief Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 17th day of November, 2006.