

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

Application for Approval of)	
Interconnection Agreement between)	
Chariton Valley Telephone Corporation)	File No. IK-2021-0065
and Teleport Communications America)	
LLC pursuant to Sections 251 and 252)	
of the Telecommunications Act of 1996.)	

APPLICATION FOR WAIVER OF 20 CSR 4240-4.017

COMES NOW Chariton Valley Telephone Corporation (“Chariton Valley”), pursuant to 20 CSR 4240-4.017(1) (D), and hereby requests a waiver of the requirement of 20 CSR 4240.4.017(1) to file notice it intended to file this case sixty (60) days prior to filing.

In support of this Request, Chariton Valley states as follows:

1. Chariton Valley’s counsel was aware the rule found in 20 CSR 4240.4.017(1) was not generally being required or enforced in Applications to Approve Interconnection Agreements (ICAs).
2. The process for the Commission’s approval of Interconnection Agreements is set forth in 47 USC 252. The federal statutes and rules setting forth the procedures for negotiation, arbitration, approval, and adoption of ICAs do not require the filing of a notice that the parties intend to file an ICA approval request at least sixty (60) days’ prior to filing that request.
3. ICAs can be negotiated, mediated, arbitrated, or adopted.

4. Generally the federally mandated process for a negotiated agreement is for a requesting carrier to request interconnection, and once agreement is reached, submit the ICA for Commission approval. Not all negotiations result in an executed agreement.

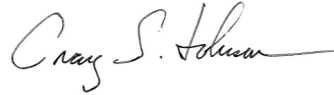
5. Parties to the negotiation can request state commission mediation. If no agreement is reached, any party to the negotiation can request arbitration between the 135th to 160th day following the request for interconnection. There is a specific time table required of Commission arbitration steps, which do not permit an additional 60 days between intent to file and filing.

5. 47 USC 252 (e) (4) limits the period the Commission has to approve or reject a voluntarily negotiated ICA to 90 days after submission. For an arbitrated agreement, the period is 30 days following submission. These time frames do not always permit an additional 60 days between intent to file and filing.

6. To Chariton Valley's knowledge, there has been no communications with the office of the commission within one hundred fifty (150) days prior to September 9, 2020 regarding any substantive issues likely to be in the case.

7. The purpose of the ICA negotiation and approval process is to encourage or facilitate the rapid deployment of competition in the local telecommunications service market. Adding an additional 60 days before an approval request can be filed is inconsistent with that purpose.


WHEREFORE, on the basis of the foregoing, Chariton Valley respectfully requests a waiver of the requirement of 20 CSR 4240-4.017 to this proceeding.



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was mailed to the attorneys for Staff, OPC, and to Teleport Communications America, LLC by electronic mail this 9th day of September, 2020.



Craig S. Johnson

