

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Adoption of an Interconnection
Agreement by Chariton Valley Telephone Corp
and Charter Fiberlink-Missouri LLC

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File No. IK-2017-0334

ORDER RECOGNIZING ADOPTION OF INTERCONNECTION AGREEMENT

Issue Date: July 13, 2017

Effective Date: July 23, 2017

This order recognizes the adoption by Charter Fiberlink-Missouri, LLC (Charter) of an interconnection agreement previously approved by the Commission.

Procedural History

On June 12, 2017, Chariton Valley Telephone Corporation (Chariton Valley) filed a pleading entitled Interconnection Agreement Adoption Notice. Charter notified Chariton Valley that it desired to adopt the terms of the interconnection agreement between MCC Telephony of Missouri, LLC and Chariton Valley, approved by the Commission in Case No. IK-2017-0266 on May 16, 2017.

On June 12, 2017, the Commission issued an order directing notice of the adoption to all interexchange and local exchange telecommunication companies and making Charter a party. The notice stated that any party wishing to request a hearing shall do so no later than June 27, 2017. No requests for hearing were filed.

On July 11, 2017, the Staff of the Missouri Public Service Commission recommended that the Commission take notice of the adoption.

Findings of Fact

After reviewing the file, the Commission finds that Charter notified Chariton Valley of its desire to adopt the same terms and conditions of the interconnection agreement between MCC Telephony of Missouri, LLC and Chariton Valley, approved by the Commission in Case No. IK-2017-0266 on May 16, 2017. Chariton Valley did not object to the request and filed this notice of the adoption of the interconnection agreement. No objections have been received. Therefore, the Commission will take notice of the adoption.

Amendment Procedure

The Commission has a duty to review all resale and interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.¹ In order for the Commission's role of review and approval to be effective, the Commission must also review and approve or recognize amendments to these agreements. The Commission has a further duty to make a copy of every resale and interconnection agreement available for public inspection.²

The parties to each resale or interconnection agreement must maintain a complete and current copy of the agreement, together with all amendments, in the Commission's offices. Any proposed amendment must be submitted pursuant to Commission rules 4 CSR 240-28.020(5) and 4 CSR 240-080.

¹ 47 U.S.C. § 252.

² 47 U.S.C. § 252(h).

Conclusions of Law

The adoption of the terms and conditions of a previously approved interconnection agreement is authorized by Section 252(i) of the federal Telecommunications Act of 1996.³

Section 252(i) states:

(i) Availability to Other Telecommunications Carriers. –

A local exchange carrier shall make available any interconnection, services, or network element provided under an agreement approved under this section to which it is a party to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement.

Federal rule 51.809 (Rule 809) was promulgated to implement Section 252(i) of the Act. Rule 809 provides that the incumbent local exchange company must provide the interconnection, network elements, or services to a requesting telecommunications carrier that notifies the ILEC that it wishes to adopt the interconnection, network elements, or services from a Commission-approved interconnection agreement unless stated conditions are proven to the Commission. An ILEC can deny an adoption if it proves that (1) the cost of providing a particular interconnection, service, or element to the requesting telecommunications carriers is greater than the cost of providing it to the telecommunications carrier that originally negotiated the agreement, or (2) the provision of the particular interconnection, service, or element to the requesting carrier is not technically feasible.⁴

The Commission notes that prior to providing telecommunications services in Missouri, a party shall possess the following: (1) an interconnection agreement approved by the Commission; (2) except for wireless providers, a certificate of service authority from

³ See 47 U.S.C. § 251, *et seq.*

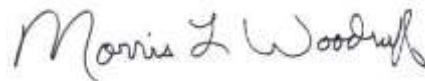
⁴ 47 C.F.R. § 51.809(b).

the Commission to provide interexchange or basic local telecommunications services; and
(3) except for wireless providers, a tariff approved by the Commission.

THE COMMISSION ORDERS THAT:

1. Charter Fiberlink-Missouri, LLC's adoption of the terms and conditions contained in the interconnection agreement between MCC Telephony of Missouri, LLC, and Chariton Valley Telephone Corporation, pursuant to Section 252(i) of the Telecommunications Act of 1996, is hereby recognized.
2. Any changes or amendments to this agreement shall be submitted in compliance with 4 CSR 240-28.020(5) and 4 CSR 240-080.
3. This order shall become effective on July 23, 2017.
4. This file may be closed on July 24, 2017.

BY THE COMMISSION



Morris L. Woodruff
Secretary



Morris L. Woodruff, Chief Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 13th day of July, 2017.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 13th day of July 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 13, 2017

File/Case No. IK-2017-0334

**Missouri Public Service
Commission**

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.