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

A:

In the Matter of the Petition of Sprint           )  
Communications Company, L.P., for Arbitra-       )  
tion of Unresolved Interconnection Issues       ) Case No. TO-99-461  
Regarding xDSL with Southwestern Bell           )  
Telephone Company.                                   )

**NOTICE OF PETITION FOR ARBITRATION**

On April 13, 1999, Sprint Communications Company, L.P. (Sprint), filed its petition for arbitration with the Commission pursuant to the Telecommunications Act of 1996 and Section 386.230 of the Revised Statutes of Missouri.<sup>1</sup> The petition asks the Commission to arbitrate issues related to the amendment of Sprint's existing interconnection agreement with Southwestern Bell Telephone Company (SWBT) to add language regarding xDSL services. Specifically, the parties are unable to agree on the pricing of those xDSL services. As Exhibit A, the petition incorporates by reference the interconnection agreement previously approved by the Commission in Case No. TO-99-1. Sprint's proposed amendment will be late-filed as Exhibit B to the petition.

The Commission finds that SWBT shall be made a party to the instant action as it is a necessary and indispensable party to the agreement. The Commission concludes that the Records Department of the Commission shall provide notice of this petition to the

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<sup>1</sup>All references herein to the Revised Statutes of Missouri (RSMo), unless otherwise specified, are to the revision of 1994.

nonpetitioning party, SWBT, and that SWBT shall be permitted to file a response to the petition and any additional information it wishes.

Included in its petition, Sprint requested that the Commission issue a protective order. The Commission is unable to grant that request at this time because Sprint did not state any grounds in its petition justifying such an order. Sprint may, of course, apply by motion for a protective order at any time. Such a motion should show that there is a need to protect proprietary or confidential information and that the request for a protective order is reasonable.

**IT IS THEREFORE ORDERED:**

1. That the Records Department of the Missouri Public Service Commission is ordered to serve notice of this petition upon Southwestern Bell Telephone Company.

2. That the motion for protective order made by Sprint Communications Company, L.P., is denied.

3. That Southwestern Bell Telephone Company shall be made a party in the instant action.

4. The Southwestern Bell Telephone Company shall file a response and any other information regarding this petition on or before May 10, 1999, with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and send a copy to Sprint Communications Company, L.P.

5. That this order shall become effective on April 27, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Kevin A. Thompson, Deputy Chief  
Regulatory Law Judge, by delegation  
of authority pursuant to 4 CSR  
240-2.120(1) (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 15th day of April, 1999.

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION