

TO-2000-376

GTE Service Corporation

601 Monroe Street Suite 304 Jefferson City, MO 65101

FILED

DEC 2.1 1999

VIA AIRBORNE EXPRESS

December 21, 1999

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission 301 W. High Street, Room 530 Jefferson City, MO 65101 Missouri Public Service Commission

Subject:

APPLICATION OF GTE MIDWEST INCORPORATED AND GTE

ARKANSAS INCORPORATED FOR APPROVAL OF AN

INTERCONNECTION AGREEMENT WITH EZ TALK

COMMUNICATIONS, LLC PURSUANT TO SECTION 252(e) OF

THE TELECOMMUNICATIONS ACT OF 1996

Dear Mr. Roberts:

Enclosed for filing are the original and fourteen (14) copies of the Application for Approval of an Interconnection Agreement on behalf of GTE Midwest Incorporated and GTE Arkansas Incorporated with EZ Talk Communications, LLC. As directed by the Commission on January 4, 1999, only five (5) copies of the approved Interconnection Agreement are enclosed with this filing. This agreement is numbered in seriatim and is in compliance with your order of August 24, 1999.

Thank you for your assistance in this matter.

Tracy D. Pagliaco. / But

Sincerely,

Tracy D. Pagliara

TP:bk Enc.

FILED

DEC 21 1999

## OF THE STATE OF MISSOURI

Missouri Public Service Commission

IN THE MATTER OF THE APPLICATION OF	)	
GTE MIDWEST INCORPORATED AND GTE	)	~ 660. ~7/
ARKANSAS INCORPORATED FOR APPROVAL	)	CASE NO. TO-2000-376
OF INTERCONNECTION AGREEMENT WITH	)	
EZ TALK COMMUNICATIONS, LLC	)	
PURSUANT TO SECTION 252(e) OF THE	)	
TELECOMMUNICATIONS ACT OF 1996	)	

# APPLICATION OF GTE MIDWEST INCORPORATED AND GTE ARKANSAS INCORPORATED FOR APPROVAL OF INTERCONNECTION AGREEMENT

COMES NOW, GTE Midwest Incorporated ("GTE Midwest") and GTE Arkansas Incorporated ("GTE AR") (collectively, "GTE" or "Applicants") and file this Application for Approval of an Interconnection Agreement (the "Agreement") between GTE and EZ Talk Communication, LLC ("EZ Talk"), pursuant to Section 252(e) of the Telecommunications Act of 1996 ("the Federal Act") and would respectfully show the Missouri Public Service Commission (the "Commission") the following:

## I. THE APPLICANTS

GTE Midwest and GTE AR are engaged in the business of providing local, access, toll and other telecommunications services. The principal office of GTE Midwest is 601 Monroe Street, Suite 304, Jefferson City, Missouri 65101.

#### II. INTERCONNECTION AGREEMENT REACHED

GTE presents to this Commission for approval an agreement negotiated and executed pursuant to the terms of the Federal Act (Agreement, Attachment 1). After weeks of intensive good faith negotiations to address all of the complex issues involved

in such an agreement, the parties have executed the Interconnection Agreement between GTE and EZ Talk on December 9, 1999, and filed herewith, together with the two (2) appendices incorporated therein.

## III. DESIGNATED CONTACTS

The designated contacts for purposes of this Application are:

Dave Evans GTE Manager – Regulatory Affairs 601 Monroe Street, Suite 304 Jefferson City, MO 65101 Telephone: 573-636-7196

Fax: 573-636-6826

e-mail: dave.evans@telops.gte.com

## IV. REQUEST FOR APPROVAL

GTE seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act. GTE believes that the implementation of this Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement promotes diversity in providers, provides interconnectivity, and increases customer choices for telecommunications services.

GTE respectfully requests that the Commission grant expeditious approval of this Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiations and compromise between competitors, and the parties do not believe a docket or intervention by other parties is necessary or appropriate.

## V. STANDARD FOR REVIEW

The statutory standards of review are set forth in Section 252(e) of the Federal Act which provides as follows:

Section 252(e) of the Federal Act:

- (e) APPROVAL BY STATE COMMISSION
  - (1) APPROVAL REQUIRED. Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the state commission. A state commission to which an agreement is submitted to shall approve or reject the agreement, with written findings as to any deficiencies.
  - (2) GROUNDS FOR REJECTION. The State Commission may only reject -
    - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that -
      - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
      - the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; or

## VI. MISSOURI LEGISLATION

The negotiated and executed Agreement is consistent with the Missouri Legislation, Senate Bill No. 507, which became effective on August 28, 1996.

## VII. CONCLUSION

For the reasons set forth above, GTE respectfully prays that the Commission approve the Agreement expeditiously.

Respectfully submitted,

GTE MIDWEST INCORPORATED GTE ARKANSAS INCORPORATED

By: //www. D. /wollara Tracy D. Pagliara, Bar #40126

Tracy D. Pagliara, Bar #40126 601 Monroe Street, Suite 304 Jefferson City, Missouri 65101-3202

(972) 718-6362 FAX (972) 718-1250

THEIR ATTORNEY

## **VERIFICATION**

I, Robert E. Bradley, under penalty of perjury, certify as follows:

I am Vice President of GTE Midwest Incorporated and GTE Arkansas Incorporated. I am authorized to make this verification on behalf of GTE Midwest Incorporated and GTE Arkansas Incorporated. I have read the foregoing "Application of GTE Midwest Incorporated and GTE Arkansas Incorporated for Approval of Interconnection Agreement with and EZ Talk Communication, LLC, pursuant to Sections 252(e) of the Telecommunications Act of 1996" and know the contents thereof, and the facts stated therein are true and correct to the best of my knowledge, information and belief.

Executed in the State of Missouri on this \_20th day of December, 1999.

Robert E. Bradley

Vice President

GTE Midwest Incorporated and GTE Arkansas Incorporated

Sworn before me and subscribed in my presence by Robert E. Bradley this <u>lary</u>day of December, 1999.

Notary Public

"NOTARY SEAL"

Kathleen M. Feldewerth, Notary Public St. Charles County, State of Missouri My Commission Expires 10/2/2001

## CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document was mailed via Airborne Express to Dale Hardy Roberts, Secretary/Chief Regulatory Law Judge, Missouri Public Service Commission, 301 W. High Street Room 530, Jefferson City, MO 65101 and was mailed, postage prepaid, this 21st day of December, 1999 the following:

Office of the Public Counsel 301 W. High Street, Room 250 Jefferson City, MO 65101 Ms. Eileen Singleton EZ Talk Communications, LLC 4727 South Main Stafford, TX 77477

Bethel A. Korenak