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Case No. TO-2000-351

ORDER DIRECTING NOTICE

On November 30, 1999, Sprint Missouri, Inc. (Sprint) and Fidelity Communication Services I, Inc. (Fidelity) filed a joint application with the Commission for approval of a Master Interconnection and Resale Agreement, executed pursuant to the Federal Telecommunications Act of 1996 (the Act). Sprint and Fidelity state that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it does not discriminate against any telecommunications carrier and is consistent with the public interest, convenience and necessity.

The Act provides that an interconnection 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. 47 U.S.C. 252(e).

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of

interconnection agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2D 494, 496 (Mo. App. 1989).

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 and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than December 23, 1999 with:

Secretary of the Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Linda K. Gardner
Attorney for Sprint Missouri, Inc.
5454 W. 110th Street
Overland Park, Kansas 66211

Sheldon K. Stock
Greensfelder, Hemker & Gale, PC
Attorney for Fidelity Communication Services I, Inc.
10 S. Broadway, Suite 2000
St. Louis, Missouri 63102-1774

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That 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 February 8, 2000.

4. That this order shall become effective on December 13, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, 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 3rd day of December, 1999.

R E C E I V E D

DEC 03 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION