

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 3rd day of  
June, 2009.

In the Matter of the Verified Petition of Sprint                     )  
Communications Company L.P., Sprint Spectrum                     )  
L.P., and Nextel West Corp. for Arbitration of                     )  
Interconnection Agreements with Southwestern                     )  
Bell Telephone Company, d/b/a AT&T Missouri.                     )

**File No. CO-2009-0239**

**ORDER APPROVING ARBITRATED INTERCONNECTION AGREEMENTS**

Issue Date: June 3, 2009

Effective Date: June 12, 2009

***Procedural History:***

On December 5, 2008, Sprint Communications Company, L.P., Sprint Spectrum L.P., and Nextel West Corp. (collectively referred to as "Sprint") filed a Petition for Arbitration under Section 252(b) of the federal Communications Act of 1934, as amended,<sup>1</sup> and under 4 CSR 240-36.040, seeking arbitration of an interconnection agreement between Sprint and Southwestern Bell Telephone Company, d/b/a AT&T Missouri ("AT&T"). Sprint presented as the only issue for arbitration whether it should be allowed to extend its current Missouri interconnection agreements ("ICAs") for a period of three years.

The Arbitrator conducted a hearing on February 25, 2009, and issued a Final Arbitrator's Report on April 13, 2009. The Commission held an oral argument on April 28, 2009, and adopted the Final Arbitrator's Report on May 6, 2009.

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<sup>1</sup> 47 U.S.C. § 252(b)(1) ("the Act").

AT&T Missouri filed three arbitrated interconnection agreements in the form of executed amendments to the current interconnection agreements on May 13, 2009. The Staff of the Commission filed its Recommendation on May 26, 2009.

Staff stated that the agreements meet the requirements of Sections 251 and 252 of the Act. Staff recommended that the Commission approve the arbitrated interconnection agreements, and stated that the agreements do not discriminate against any other carrier, are not against the public interest, and appear to conform to the Final Arbitrator's Report.

***Standard for Approval:***

Section 252(e) of the Telecommunications Act provides:

(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 shall approve or reject the agreement, with written findings as to any deficiencies.

(2) Grounds for rejection

The State commission may only reject –

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(B) an agreement (or any portion thereof) adopted by arbitration under subsection (b) of this section if it finds that the agreement does not meet the requirements of section 251 of this title, including the regulations prescribed by the Commission pursuant to section 251 of this title, or the standards set forth in subsection (d) of this section.<sup>2</sup>

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<sup>2</sup> Subsection (d) contains pricing standards.

***Approval of Interconnection Agreements:***

The Commission has considered the interconnection agreements and Staff's recommendation. Based upon that review, the Commission finds that the agreements conform to the relevant standards set forth in the Telecommunications Act and to the Commission's order adopting the Final Arbitrator's Report.

The Commission, under the provisions of Section 252(e) of the Telecommunications Act of 1996,<sup>3</sup> is required to review interconnection agreements. The Commission may only reject an arbitrated agreement if it finds that the agreement does not meet the requirements of Section 252 of the Act. Based upon its review of the agreements, and Staff's Recommendation, the Commission concludes that the agreements meet the requirements of Section 252 of the Act. The Commission will, therefore, approve the agreements.

***Additional Amendment Procedures:***

The Commission has a duty to review all resale and interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.<sup>4</sup> 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.<sup>5</sup> This duty is in keeping with the Commission's practice under its own

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<sup>3</sup> 47 U.S.C. § 252(e)(1).

<sup>4</sup> 47 U.S.C. § 252.

<sup>5</sup> 47 U.S.C. § 252(h).

rules of requiring telecommunications companies to keep their rate schedules on file with the Commission.<sup>6</sup>

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 Rule 4 CSR 240-3.513(6).

**THE COMMISSION ORDERS THAT:**

1. The Amendment to Interconnection Agreement between Sprint Communications Company, L.P., and Southwestern Bell Telephone Company, d/b/a AT&T Missouri, filed on May 13, 2009, is approved.

2. The Amendment to Interconnection Agreement between Sprint Spectrum L.P., and Southwestern Bell Telephone Company, d/b/a AT&T Missouri, filed on May 13, 2009, is approved.

3. The Amendment to Interconnection Agreement between Nextel West Corp., and Southwestern Bell Telephone Company, d/b/a AT&T Missouri, filed on May 13, 2009, is approved.

4. Any changes or amendments to these interconnection agreements shall be submitted to the Commission for approval in compliance with Commission Rule 4 CSR 240-3.513(6).

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<sup>6</sup> 4 CSR 240-3.545.

5. This order shall become effective on June 12, 2009.
6. This file shall be closed on June 13, 2009.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Clayton, Chm., Davis, Jarrett,  
and Gunn, CC., concur.

Dippell, Deputy Chief Regulatory Law Judge