

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

May 16, 2001

CASE NO: TO-2001-626

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Lisa Creighton Hendricks
Sprint Communications Company L.P.
5454 W. 110th Street
Overland Park, KS 66211-1204

Brian T. McCartney
Brydon, Swearengen & England, P.C.
312 E. Capitol Avenue
PO Box 456
Jefferson City, MO 65102

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copies:

To all interexchange and local exchange telecommunications companies

OF THE STATE OF MISSOURI

In the Matter of the Application of)
TDS Telecommunications Corp. and Sprint) **Case No. TO-2001-626**
Communications Company L.P. for Approval)
of a Mutual Traffic Exchange Agreement)

ORDER AND NOTICE

On May 14, 2001, TDS Telecommunications Corporation and Sprint Communications Company L.P. (Applicants) filed an application with the Commission for approval of a Mutual Traffic Exchange Agreement under the provisions of the federal Telecommunications Act of 1996 (the Act). Applicants state that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest. Applicants request expeditious approval of the agreement.

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.¹

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The requirement of a hearing is met when an opportunity to be heard has

¹ 47 U.S.C. § 252(e).

been provided and no proper party has requested the opportunity to present evidence.²

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 application. 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 in this matter shall do so by filing a pleading no later than June 5, 2001, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Brian T. McCartney
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102-0456

Attorney for TDS Telecommunications Corporation;

² *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2D 494, 496 (Mo. App. 1989).

Lisa Creighton Hendricks
Sprint Communications Company L.P.
5454 W. 110th Street
Overland Park, Kansas 66211

Attorney for Sprint Communications Company L.P.

and:

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 June 15, 2001.

4. That this order shall become effective on May 26, 2001.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

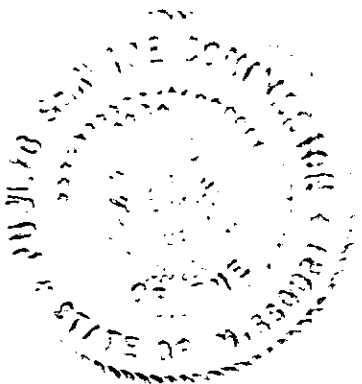
Dated at Jefferson City, Missouri,
on this 16th day of May, 2001.

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 16th day of May 2001.



A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge