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

In the Matter of the Application of Sprint	)	
Communications Company L.P. for Approval of an	)	
Interconnection Agreement with Southwestern	)	<u>Case No. TO-99-1</u>
Bell Telephone Company Pursuant to Section 252	)	
of the Telecommunications Act of 1996.	)	
	)	

**ORDER AND NOTICE**

Sprint Communications Company L.P. (Sprint) filed an application with the Commission on July 7, 1998, for approval of an interconnection agreement with Southwestern Bell Telephone Company (SWBT) under the provisions of the Federal Telecommunications Act of 1996 (the Act). The applicant states 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.

The applicant states that this agreement is substantially similar to the interconnection agreement between SWBT and AT&T Communications of the Southwest, Inc. (AT&T) approved by the Commission after arbitration in Case No. TO-98-115. The applicant requests expeditious approval of the agreement and suggests that since the SWBT and AT&T agreement was arbitrated that the 30-day time limit for Commission action under Section 252(e)(4) may apply. Although the agreement in Case No. TO-98-115 was arbitrated, it was not arbitrated between the two parties to this case. Therefore, the Commission concludes that under

the Act it has 90 days to approve or disapprove this negotiated interconnection 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. 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.

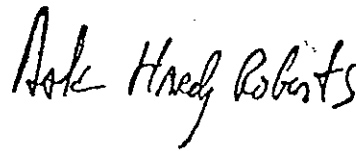
2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than July 30, 1998 with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and send copies to:

Kenneth A. Schiffman, Esq.  
Sprint Communications Company L.P.  
8140 Ward Parkway, 5E  
Kansas City, Missouri 64114

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 September 9, 1998.

4. That this order shall become effective on July 10, 1998.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Nancy Dippell, 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 10th day of July, 1998.

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION