

GTE Service Corporation

601 Monroe Street Suite 304 Jefferson City, MO 65101

November 18, 1999

VIA AIRBORNE EXPRESS

FILED

NOV 1 8 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

TO-2000-332

Subject:

APPLICATION OF GTE MIDWEST INCORPORATED AND GTE

ARKANSAS INCORPORATED FOR APPROVAL OF AN

INTERCONNECTION AGREEMENT WITH SPRINT SPECTRUM L.P. 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 Sprint Spectrum L.P. As directed by the Commission on January 4, 1999, only five (5) copies numbered in seriatim of the approved Interconnection Agreement are enclosed with this filing.

This is a renegotiated contract between GTE and Sprint Spectrum and replaces in its entirety the agreement approved by this commission in Case No. TO 97-533.

Thank you for your assistance in this matter.

Sincerely,

Tracy D. Pagliara

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TP:bk Enc.

c: Service List

C. Little/D. Evans - Jefferson City, MO

A part of GTE Corporation

FILED

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

ION NOV 1 8 1999

Missouri Public
Service Commission

IN THE MATTER OF THE APPLICATION OF GTE MIDWEST INCORPORATED AND GTE ARKANSAS INCORPORATED FOR APPROVAL OF INTERCONNECTION AGREEMENT WITH SPRINT SPECTRUM L.P. PURSUANT TO SECTION 252(e) OF THE TELECOMMUNICATIONS ACT OF 1996

CASE NO.

TO-2000-332

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

COMES NOW, GTE Midwest Incorporated and GTE Arkansas Incorporated ("GTE") and file this Application for Approval of an Interconnection Agreement (the "Agreement") between GTE and Sprint Spectrum L.P. ("Spectrum"), 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. 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 Spectrum on November 5, 1999, and filed herewith, together with the three (3) appendices incorporated therein.

# II. 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.

#### III. 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
    - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; or

## IV. MISSOURI LEGISLATION

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

# V. 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: <u>Jacon D. Pagliara</u> Bek Tracy D. Pagliara, Bar #40126 601 Monroe Street, Suite 304 Jefferson City MO 65101-3202

Jefferson City, MO 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 Sprint Spectrum L.P., 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 17th day of November, 1999.

Robert E. Bradley

Vice President

GTE Midwest Incorporated and

Kolut S. Beadle

GTE Arkansas Incorporated

Sworn before me and subscribed in my presence by Robert E. Bradley this May of November, 1999.

Notary Public

"NOTARY SEAL"
Kathleen M. Feldewerth, Notary Public
St. Charles County, State of Missouri

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 17th day of November, 1999 the following:

Office of the Public Counsel 301 W. High Street, Room 250 Jefferson City, MO 65101 Mr. Douglas M. Puckett Sprint Spectrum L.P. 11880College Blvd., #1066 Overland Park, KS 66210

Bethel A. Korenak