

James M. Fischer Larry W. Dority

Attorneys at Law Regulatory & Governmental Consultants

101 Madison, Suite 400 Jefferson City, MO 65101 Telephone: (573) 636-6758 Fax: (573) 636-0383

May 23, 2002

HAND-DELIVERED

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102

Re:

IN THE MATTER OF THE APPLICATION OF SBC ADVANCED SOLUTIONS, INC. FOR APPROVAL OF ITS INTERCONNECTION AGREEMENT WITH NAVIGATOR TELECOMMUNICATIONS, LLC UNDER 47 U.S.C. § 252.

Dear Mr. Roberts:

Enclosed for filing with the Commission are the original and eight (8) copies of the "Application of SBC Advanced Solutions, Inc. for Approval of Interconnection Agreement with Navigator Telecommunications, LLC." An original and five (5) copies of the executed Interconnection Agreement are enclosed with this filing.

Thank you for bringing this filing to the attention of the appropriate Commission personnel.

Sincerely.

Larry W. Dority

Enclosures

cc:

Dana K. Joyce, General Counsel Office of the Public Counsel

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

| In the matter of the Application of |) | | |
|--|---|----------|--|
| SBC Advanced Solutions, Inc. |) | | |
| for approval of its Interconnection |) | Case No. | |
| Agreement with Navigator Telecommunications, |) | _ | |
| LLC under 47 U.S.C. § 252. |) | | |

APPLICATION OF SBC ADVANCED SOLUTIONS, INC. FOR APPROVAL OF INTERCONNECTION AGREEMENT WITH NAVIGATOR TELECOMMUNICATIONS, LLC

COMES NOW SBC Advanced Solutions, Inc. ("SBC-ASI") and hereby applies for approval by the Missouri Public Service Commission ("Commission") of the accompanying Interconnection Agreement voluntarily entered into by SBC-ASI and Navigator Telecommunications, LLC ("Navigator"), pursuant to the federal Telecommunications Act ("Act") under 47 U.S.C. § 252(e).

1. The legal name and principal office or place of business of SBC-ASI is:

SBC Advanced Solutions, Inc. 300 Convent Street, 18th Floor San Antonio, Texas 78205
Telephone: (210) 246-8600
Facsimile: (210) 246-8699

2. SBC-ASI is a Delaware Corporation, authorized to do business in the state of Missouri. Copies of SBC-ASI's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State and SBC-ASI's Articles of Incorporation were filed in Respectation and SBC-ASI's Articles of Service Authority to Provide Advanced Advanced Solutions, Inc. Application for a Certificate of Service Authority to Provide Advanced Telecommunications within the State of Missouri, Case No. TA-2000-260, and are incorporated

herein by reference. Pursuant to the Commission's Order Approving Interexchange And Non-Switched Local Exchange Certificate Of Service Authority in Case No. TA-2000-260, SBC-ASI provides telecommunications service in Missouri. All correspondence, communications, and orders and decisions of the Commission should be sent to:

Larry W. Dority
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, Missouri 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383

- 3. Navigator is a limited liability company organized under the laws of the state of Arkansas, with principal offices located at 11810 Pleasant Ridge Road, Little Rock, Arkansas 72212. Navigator was granted a certificate of service authority to provide basic local telecommunications services in the state of Missouri in Case No. TA-98-383, order dated June 25, 1998. Navigator's certificate was amended by adding additional exchanges in Case No. TA-2000-243.
- 4. SBC-ASI has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates (other than minimal routine customer inquiries/complaints handled in the ordinary course of business), which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

In support of this Application, SBC-ASI states the following:

I. INTERCONNECTION AGREEMENT REACHED

SBC-ASI presents to this Commission for approval, an Agreement that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all

of the complex issues involved in such an agreement, the parties signed the Interconnection Agreement between SBC-ASI and Navigator on March 20, 2002, and hereby file the Agreement, together with one pricing schedule incorporated therein. There are no outstanding issues between SBC-ASI and Navigator that need the assistance of mediation or arbitration.

II. REQUEST FOR APPROVAL

SBC-ASI seeks the Commission's approval of the Agreement, consistent with the provisions of the Act. SBC-ASI believes that the implementation of this Agreement complies fully with Section 252(e) of the Act because the Agreement is consistent with the public interest, convenience and necessity, and does not discriminate against any telecommunications carrier. The Agreement promotes interconnectivity and diversity in providers, and will increase customer choices for telecommunications services.

SBC-ASI 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 negotiation and compromise between SBC-ASI and Navigator.

III. STANDARD FOR REVIEW

The statutory standards of review are set forth in Section 252(e) of the Act with 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
 - (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;

IV. MISSOURI LEGISLATION

The negotiated and executed Agreement is consistent with Missouri Senate Bill 507, which became effective on August 28, 1996.

WHEREFORE, SBC Advanced Solutions, Inc. respectfully requests the Commission to enter an Order approving its Interconnection Agreement.

Respectfully submitted,

Larry W. Dority, Esq.

MBN 25617

e-mail:

lwdority@sprintmail.com

FISCHER & DORIY, P.C. 101 Madison, Suite 400

Jefferson City, Missouri 65101

Telephone:

(573) 636-6758

Facsimile:

(573) 636-0383

Attorneys for Applicant SBC Advanced Solutions, Inc.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, First Class, postage prepaid, this 23 day of May, 2002, to:

Office of the Public Counsel P.O. Box 360 Jefferson City MO 65102

Dana K. Joyce General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City MO 65102

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AFFIDAVIT OF VERIFICATION

| STATE OF TEXAS COUNTY OF DALLAS |)) |
|---|--|
| Executive Director-Regulatory of authorized to execute on behalf of | first duly sworn, on his oath and in his capacity as SBC Advanced Solutions, Inc., states that he is SBC Advanced Solutions, Inc. this Application and in this Application, and that said matters are true and and belief. |
| | David G. Hammock |
| Subscribed and sworn to before | Notary Public, State of Texas |
| My Commission expires: | rowy 31, 200 f |