

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

Application of Williams Local Network, LLC for }  
Approval of Interconnection Agreement with }  
Southwestern Bell Telephone, L.P. d/b/a }  
Southwestern Bell Telephone Company }  
Pursuant to §§ 251 and 252 of the }  
Telecommunications Act of 1996 }

**Case No. TK-2003-0089**

**ORDER DIRECTING NOTICE AND**  
**ORDER MAKING SOUTHWESTERN BELL TELEPHONE, L.P. D/B/A**  
**SOUTHWESTERN BELL TELEPHONE COMPANY A PARTY**

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Southwestern Bell Telephone, L.P. d/b/a Southwestern Bell Telephone Company, as a party to this proceeding.

On September 3, 2002, Williams Local Network, LLC filed an application with the Missouri Public Service Commission for approval of an interconnection agreement with SWBT under the provisions of the federal Telecommunications Act of 1996. Williams 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. Williams requests expeditious approval of the agreement.

Although SWBT is a party to the agreement, it did not join in the application. Because SWBT is a necessary party to a full and fair adjudication of this matter, the Commission will add SWBT as a party to this case.

The Act provides that an interconnection or resale 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.<sup>1</sup>

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The *Deffenderfer* case held that 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.<sup>2</sup>

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement will 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 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 Data Center of the Missouri Public Service Commission must send notice to all interexchange and local exchange telecommunications companies.
2. That Southwestern Bell Telephone, L.P. d/b/a Southwestern Bell Telephone Company is made a party to this case.
3. That any party wishing to request a hearing must do so by filing a pleading by September 30, 2002, with:

Dale Hardy Roberts, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102-0360

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<sup>1</sup> 47 U.S.C. 252(e).

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

and send copies to:

F. Martin Dajani, Esq.  
Piper Rudnick LLP  
1200 19th Street N.W.  
Washington, D.C. 20036-2412

Paul G. Lane  
Southwestern Bell Telephone, L.P. d/b/a Southwestern  
Bell Telephone Company  
One Bell Center  
St. Louis, Missouri 63101

and:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102-7800

4. That the Staff of the Missouri Public Service Commission must file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor by October 9, 2002.

5. That this order will become effective on September 20, 2002.

**BY THE COMMISSION**



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

( S E A L )

Bill Hopkins, Senior Law Judge,  
by delegation of authority under  
Section 386.240, RSMo 2000,  
as currently supplemented.

Dated at Jefferson City, Missouri,  
on this 10th day of September, 2002.