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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 2nd
day of July, 1998.

In the Matter of the Joint Application of)
GTE Midwest Incorporated and Sprint Spectrum L.P.) Case No. TO-97-533
for Approval of Interconnection Agreement Under)
the Telecommunications Act of 1996.)
)

**ORDER REGARDING PROVISION OF REPORT FOR TERMINATION
OF TRAFFIC TO THIRD-PARTY LOCAL EXCHANGE CARRIERS**

On September 10, 1997, the Missouri Public Service Commission (Commission) issued an Order Approving Interconnection Agreement, which approved an interconnection agreement between GTE Midwest Incorporated (GTE) and Sprint Spectrum L.P. (Sprint Spectrum). The Small Telephone Company Group (STCG) and Fidelity Telephone Company and Bourbeuse Telephone Company filed comments prior to the issuance of the Commission's order, expressing concern about the inability of third-party local exchange companies (LECs) to track wireless-originating calls. The Staff of the Commission (Staff) indicated in its recommendation that at the time of the recommendation GTE did not have the capability to produce a report similar to the Cellular Usage Summary Report (CUSR) which Southwestern Bell Telephone Company (SWBT) offered to provide in Case No. TT-97-524. Although the Commission approved the interconnection agreement between GTE and Sprint Spectrum, the Commission ordered GTE or Sprint Spectrum to file with the Commission a written response addressing possible solutions to the problem of the inability to track wireless-originating traffic terminating in the exchanges of third-party LECs.

GTE, Sprint Spectrum, and the STCG filed responses to the Commission's order and replies to each other's responses. GTE filed its initial response on October 9, which indicated that it now had the capability to produce a report to third-party LECs detailing the source of originating traffic and the minutes of use (MOUs). GTE stated that the CUSR report would provide the MOUs separately identified by the CMRS providers' Access Customer Name Abbreviation (ACNA), the terminating LEC's Operating Company Number (OCN), and the terminating exchange's Common Language Location Identification (CLLI). The CUSR report would also provide the billing period, LATA number, subtotal of MOUs by ACNA, along with the grand total of all MOUs. In addition, if more than one CMRS provider terminated MOUs to the same exchange, the subtotal by CMRS providers would be included on a single CUSR report.

Sprint Spectrum filed a response on October 14. Sprint Spectrum suggested that a bill-and-keep arrangement would be the most efficient arrangement for all the parties involved, since it claimed the traffic will be closer to the 55/45 ratio rather than the 90/10 ratio contained in its interconnection agreement with GTE. GTE filed a reply to Sprint Spectrum's response on October 27. GTE expressed concern that by suggesting a bill-and-keep arrangement, Sprint Spectrum was disavowing its interconnection agreement with GTE. The STCG filed a response on October 28. It noted that SWBT had agreed to provide the CUSR report to third-party LECs free of charge, in contrast to GTE's proposal to charge for the report. The STCG also noted that the CUSR report proposed by SWBT in Case No. TT-97-524 would be provided in a paper format, but that the Commission had asked SWBT to report on the possibility of providing the information in an electronic format. In response to Sprint Spectrum,

the STCG stated that it shares the concerns of Sprint Spectrum regarding the administrative burden involved in negotiating individual interconnection agreements with third-party LECs, but did not consider Sprint Spectrum's bill-and-keep proposal as a request for a negotiated reciprocal compensation agreement under Section 251(b)(5) of the Telecommunications Act of 1996. The STCG asked the Commission to consider its comments when considering solutions to the concerns raised by the STCG. Sprint Spectrum subsequently filed surreply comments on November 10, in response to the reply of GTE and the response of the STCG.

On January 28, 1998, the Commission issued its Order Directing the Filing of Additional Information. The Commission directed GTE to file an example of the CUSR report it proposed to make available to third-party LECs. The Commission also asked GTE to indicate the format in which it would make the report available, the reporting cycle which the report would encompass, and the length of time between the end of the reporting cycle and the point at which the report would be generated and distributed to third-party LECs. The Commission also directed that the information be accompanied by an affidavit of an appropriate witness who could attest to the veracity of the information.

In response to the Commission's order of January 28, GTE filed an affidavit on February 27 which contained the information requested by the Commission. GTE's affidavit indicates that the CUSR report will include: (1) the report date; (2) the Terminating Company Exchange Code; (3) the state; (4) the wireless provider ACNA; (5) the LATA; (6) the GTE connecting tandem CLLI; (7) the terminating office CLLI; (8) the MOU per terminating office; (9) the total MOU; and (10) the names and addresses

of the wireless providers. The affidavit also indicated that the report would be mailed by the tenth of the month for the previous month's usage.


The Commission has reviewed the entirety of the case file, and finds that GTE should be required to make available to third-party LECs the CUSR report containing the information listed in GTE's affidavit. The report should be mailed by the tenth of the month for the previous month's usage, as indicated in the affidavit. Consistent with the Commission's determination in the Report and Order issued in Case No. TT-97-524, the Commission will not mandate that GTE provide the CUSR reports free of charge, nor will the Commission mandate that GTE provide this information in ASCII or EMR format, although the parties are free to reach agreement on the provision of the report in an electronic format. To the extent that GTE chooses to charge for the CUSR report, the rate must be just and reasonable. The Commission finds that the CUSR report proposed by GTE contains information sufficient to allow third-party LECs to bill wireless carriers for wireless-originating traffic which terminates in the exchanges of the third-party LECs. With regard to the proposal suggested by Sprint Spectrum, the Commission notes that Sprint Spectrum is free to negotiate specific individual reciprocal compensation agreements with third-party LECs if it chooses.

IT IS THEREFORE ORDERED:

1. That GTE Midwest Incorporated is directed to make immediately available to the member companies of the Small Telephone Company Group and the Mid-Missouri Group of Local Exchange Companies, and to wireless carriers, its Cellular Usage Summary Report, in a format consistent with the affidavit filed by GTE Midwest Incorporated on February 27, 1998.

2. That this order shall become effective on July 16, 1998.
3. That this case shall be closed on July 17, 1998.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray
and Schemenauer, CC., concur.
Crompton, C., not participating.

Randles, Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION