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September 27, 1999

**VIA HAND DELIVERY**

Mr. Dale Roberts  
Executive Secretary  
Missouri Public Service Commission  
301 West High Street, Suite 530  
Jefferson City, Missouri 65101

**FILED<sup>2</sup>**

**SEP 27 1999**

**Missouri Public  
Service Commission**

*TO-2000-254*

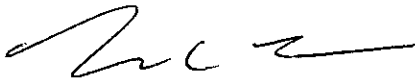
Re: *In the Matter of the Application of US West Interprise America, Inc. d/b/a !INTERPRISE America, Inc. for Approval of an Interconnection Agreement Under the Telecommunications Act of 1996*

Dear Mr. Roberts:

Enclosed for filing with the Commission are the original and 14 copies of US West Interprise America, Inc. d/b/a !INTERPRISE America Inc.'s Application for Approval of an Interconnection Agreement. Also enclosed are two additional copies of this document, which I would ask that you return marked "filed" in the enclosed envelope. By copy of this letter, two copies of these documents have been sent to the Office of Public Counsel. If you should have any question, please do not hesitate to contact me.

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,



Lisa C. Creighton

LCC:bt  
Enclosures

cc: Office of Public Counsel (via Hand Delivery)

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FILED

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

SEP 27 1999

Missouri Public  
Service Commission

IN THE MATTER OF THE APPLICATION )  
OF US WEST INTERPRISE AMERICA, INC. )  
d/b/a INTERPRISE AMERICA, INC. )  
FOR APPROVAL OF AN INTERCONNECTION )  
AGREEMENT UNDER THE )  
TELECOMMUNICATIONS ACT OF 1996 )

Case No. 10-2000-254

**APPLICATION FOR APPROVAL OF AN INTERCONNECTION AGREEMENT**

Comes now US West Interprise America, Inc. d/b/a INTERPRISE America, Inc. ("Interprise") and hereby files this Application for Approval of their Interconnection Agreement (the "Agreement") under the Telecommunications Act of 1996, Public Law No. 104-104 ("Federal Act"). In support of this Application, Interprise states as follows:

**INTERCONNECTION AGREEMENT REACHED**

1. Interprise presents to this Commission for approval the Agreement negotiated and executed pursuant to the terms of the Federal Act. After comprehensive, good faith negotiations to address all of the complex issues involved in such an agreement, Southwestern Bell Telephone Company ("SWBT") and Interprise executed the Agreement which is filed herewith, together with various attachments incorporated therein at Exhibit 2. All matters between the parties have been successfully negotiated, and there are no outstanding issues requiring the assistance of mediation or arbitration.

**REQUEST FOR APPROVAL**

2. Interprise seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act and Missouri law. Interprise believes that the implementation of this Agreement complies fully with Section 252(e) of the Telecommunications Act of 1996 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.

3. Interprise 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 Interprise does not believe a docket or intervention by other parties except SWBT, is necessary or appropriate.

#### **STANDARD FOR REVIEW**

4. The statutory standards of review are set forth in Section 252(3) of the Telecommunications Act of 1996 which provides as follows:

- (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) **GROUND 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: . . .

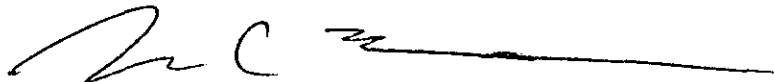
5. The affidavit of Richard J. Boyer, President and CEO of Interprise, establishes that the agreement submitted herein satisfies these standards (Affidavit, Exhibit 1).

## CONCLUSION

WHEREFORE, Interprise respectfully requests that the Commission approve the Interconnection Agreement between SWBT and Interprise.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL



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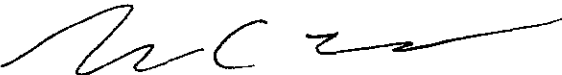
Facsimile: (816) 531-7545

ATTORNEYS FOR US WEST INTERPRISE AMERICA,  
INC., d/b/a INTERPRISE AMERICA, INC.

STATE OF MISSOURI       )  
                                  ) SS:  
COUNTY OF JACKSON     )

**VERIFICATION**

I, Lisa C. Creighton, being duly sworn upon oath depose and say that I am the attorney for US West Interprise America, Inc. d/b/a INTERPRISE America, Inc., a Colorado corporation; that I am authorized to make this verification on its behalf; that I have read the above and foregoing Application and state that its contents are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Lisa C. Creighton

Subscribed and sworn to before me this 24<sup>th</sup> day of September 1999.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

