

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

Application of Chariton Valley Communications )  
Corporation, Inc., for Approval of an Interconnection )  
Agreement with Southwestern Bell Telephone, L.P. ) **Case No. TK-2005-0300**  
d/b/a SBC Missouri Pursuant to Section 252(e) of )  
the Telecommunications Act of 1996 )

### **ORDER DIRECTING FILING**

On March 9, 2005, Chariton Valley Communications Corporation, Inc., filed an application with the Commission for approval of an interconnection agreement with Southwestern Bell Telephone, L.P. d/b/a SBC Missouri under the provisions of the federal Telecommunications Act of 1996. On April 13, Staff filed its Recommendation.

Staff recommended that the Commission reject the agreement because it does not include terms governing transiting traffic. According to Staff, the agreement's failure to include a complete transit traffic provision could result in discrimination against carriers that are not parties to the agreement. Furthermore, that failure could also be against the public interest.

The Commission ordered Chariton Valley and SBC Missouri to respond no later than April 22. Those parties responded, and stated, among other things, that the Telecommunications Act does not require incumbent local exchange companies to include transit service in an interconnection agreement.

Under the Telecommunications Act of 1996, the Commission must approve or reject the agreement no later than June 7. The Commission will order Staff to promptly respond.

**IT IS THEREFORE ORDERED:**

1. That the Staff of the Commission shall respond to the pleadings of Chariton Valley Communications Corporation, Inc. and Southwestern Bell Telephone, L.P. d/b/a SBC Missouri no later than May 3, 2005.
2. That this order shall become effective on April 27, 2005.

**BY THE COMMISSION**

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

( S E A L )

Ronald D. Pridgin, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 27th day of April, 2005.