

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

Application of Choctaw Telephone)
Company for Approval of a Traffic)
Termination Agreement with T-Mobile)
USA, Inc. under the Telecommunications)
Act of 1996.)

Case No. TK-2005-0461

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission approve the Interconnection Agreement between Choctaw Telephone Company and T-Mobile USA, Inc.

2. The Commission's authority to approve or reject this Interconnection Agreement is pursuant to 47 U.S.C. § 252(e) of the Telecommunications Act of 1996.

3. The Staff concludes that the Interconnection Agreement does not discriminate against telecommunications carriers not a party to the Agreement and the Agreement is not against the public interest, convenience or necessity. The Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission for approval.

WHEREFORE, the Staff recommends approval of the Interconnection Agreement.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Marc D. Poston

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 28th day of June 2005.

/s/ Marc D. Poston

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. **TK-2005-0461**

Party: Choctaw Telephone Company

Type of Certification:

- ☐ None
- ☐ Basic Local
- ☐ Local (restricted to private line)
- ☒ Local (no restrictions)
- ☐ Interexchange

Party: T-Mobile USA, Inc.

- ☒ None
- ☐ Basic Local
- ☐ Local (restricted to private line)
- ☐ Local (no restrictions)
- ☐ Interexchange

From: Bill Peters, Telecommunications Department

WLV 06/23/05

Utility Operations Division/Date

Marc Poston 06/28/05

General Counsel Office/Date

Subject: Staff Recommendation for Approval of Interconnection Agreement

Date: June 28, 2005

Date Filed: 06/01/2005

Staff Deadline: 07/07/05

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted (may check more than one):

- ☐ Resale Agreement
- ☐ Facilities-based Interconnection Agreement
- ☒ Wireless Interconnection Agreement

The parties submitted the proposed Agreement to the Missouri Public Service Commission (Commission) pursuant to the terms of the Telecommunications Act of 1996 (Act). Staff has reviewed the proposed Agreement and believes it meets the limited requirements of the Act. Specifically, the Agreement: 1) does not discriminate against telecommunications carriers not party to the Agreement and 2) is not against the public interest, convenience or necessity. Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission for approval.

- ☐ Staff does not have a serially numbered copy of the Agreement and recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement.
- ☒ Staff has a serially numbered copy of the Agreement.

Interconnection Agreement Review Items

- ☒ No applications to intervene filed.
- ☒ Agreement signed by both Parties.
- ☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.
- ☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.
- (☐ No annual report ☐ Unpaid PSC assessment. Amount owed:)

Is there an attachment to this recommendation indicating any recommendations or special considerations: ☒ Yes ☐ No

The Parties have submitted this negotiated Agreement pursuant to Section 252 of the Telecommunications Act of 1996, and characterized the Agreement as a "Traffic Termination Agreement." Staff can find no reference in Section 252 to "Traffic Termination Agreement." Consequently, Staff recommends the Commission issue an Order approving a wireless "interconnection agreement" and not an Order approving "Traffic Termination Agreement."