

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In Re: The Master Interconnection Collocation and)
Resale Agreement by and between Embarq Missouri,)
Inc. and Kentucky Data Link, Inc. Pursuant to Sections)
251 and 252 of the Telecommunications Act of 1996)
Case No. TK-2007-0490

ORDER DIRECTING NOTICE AND MAKING KENTUCKY DATA LINK,
INC. A PARTY

Issue Date: June 26, 2007

Effective Date: June 26, 2007

Syllabus: This order provides notice of this application to interested parties and joins the other party to the interconnection, collocation and resale agreement, Kentucky Data Link, Inc. (“KDL”), as a party to this proceeding.

On December 28, 2006, Embarq Missouri, Inc., (“Embarq”) filed an application with the Commission for approval of a negotiated interconnection, collocation and resale agreement with KDL under the provisions of the federal Telecommunications Act of 1996. Embarq states that the agreement complies with Section 252(e) of the Act in that it is consistent with the public interest, convenience and necessity, and not discriminatory to nonparty carriers. Embarq requests expeditious approval of the agreement.

Although KDL is a party to the agreement, it did not join in the application. Because KDL is a necessary party to a full and fair adjudication of this matter, the Commission will add KDL 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.¹ Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously. The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS ORDERED THAT:

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. Kentucky Data Link, Inc. is made a party to this case.
3. Any party wishing to intervene or request a hearing shall do so by filing a pleading no later than July 16, 2007, with:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and serve a copy on:

Linda K. Gardner
Attorney for Petitioner
5454 West 110th Street
Mailstop: KSOPKJ0401
Overland Park, Kansas 66211

and

¹ 47 U.S.C. § 252(e).

John Chuang
Kentucky Data Link, Inc.
8829 Bond Street
Overland Park, Kansas 66214

and

Office of the Public Counsel
200 Madison Street, Suite 650
Post Office Box 2230
Jefferson City, Missouri 65102-2230

and

General Counsel
Missouri Public Service Commission
200 Madison Street
Post Office Box 360
Jefferson City, Missouri 65102-0360

4. The Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than July 26, 2007.

5. This order shall become effective on June 26, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 26th day of June, 2007.