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

In Re: Commercial Mobile Radio Services	)	
(CMRS) Interconnection Agreement By and	)	
Between Northwest Missouri Cellular LLP and	)	Case No. TK-2009-0294
Embarq Missouri, Inc. Pursuant to Sections 251	)	
And 252 of the Telecommunications Act of 1996	)	

## ORDER DIRECTING NOTICE AND MAKING NORTHWEST MISSOURI CELLULAR LLP A PARTY

Issue Date: February 11, 2009 Effective Date: February 11, 2009

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Northwest Missouri Cellular LLP, as a party to this proceeding.

On February 9, 2009, Embarq Missouri, Inc., d/b/a Embarq filed an application with the Commission for approval of a CMRS interconnection agreement with Northwest under the provisions of the federal Telecommunications Act of 1996. Embarq states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest. Embarq requests expeditious approval of the agreement.

Although Northwest is a party to the agreement, it did not join in the application.

Because Northwest is a necessary party to a full and fair adjudication of this matter, the

Commission will add it 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. 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 shall 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 shall be sent to all interexchange and local exchange telecommunications companies.

## THE COMMISSION ORDERS THAT:

- 1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
  - 2. Northwest Missouri Cellular LLP is made a party to this case.
- 3. Any party wishing to request a hearing shall do so by filing a pleading no later than March 3, 2009, with:

Colleen M. Dale, Secretary Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102

and send copies to:

Craig T. Smith Embarq Missouri, Inc. 5454 West 110<sup>th</sup> Street Mailstop: KSOPKJ0401 Overland Park, KS 66211

<sup>&</sup>lt;sup>1</sup> 47 U.S.C. § 252(e).

Northwest Missouri Cellular LLP 1114 A. South Main Street P.O. Box 551 Maryville, MO 64468

and:

Office of the Public Counsel Post Office Box 2230 Jefferson City, Missouri 65102

- 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 March 13, 2009.
  - 5. This order shall become effective on February 11, 2009.

BY THE COMMISSION

Colleen M. Dale Secretary

(SEAL)

Colleen M. Dale, Chief Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 11th day of February, 2009.