

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Request for Commission)	
Approval of an Interconnection Agreement)	<u>Case No. TK-2006-0358</u>
between Comcast Phone, LLC and Cellco)	
Partnership d/b/a Verizon Wireless)	

ORDER REJECTING APPLICATION
AND CLOSING CASE

Issue Date: March 20, 2006

Effective Date: March 20, 2006

On March 16, 2006, Comcast Phone of Missouri, LLC, d/b/a Comcast Digital Phone (Comcast) and Cellco Partnership d/b/a Verizon Wireless (Cellco) filed a Joint Application for approval of an interconnection agreement. The Joint Application was signed by Elaine Critides as attorney for Cellco and John Sullivan, VP and Chief Counsel Telephony for Comcast. There is no indication that either is a member of the Missouri Bar. Commission Rule 4 CSR 240-2.040(3)(C), concerning practice before the Commission, states as follows:

Any attorney who is not a member of the Missouri Bar, but who is a member in good standing of the bar of any court of record may petition the commission for leave to be permitted to appear and participate in a particular case under all of the following conditions:

- (1) The visiting attorney shall file in a separate pleading a statement identifying each court of which that attorney is a member and certifying that neither of the attorney's firm is disqualified to appear in any of these courts;
- (2) The statement shall designate some member in good standing of the Missouri Bar having an office within Missouri as associate counsel; and
- (3) The designated Missouri attorney shall simultaneously enter an appearance as an attorney of record.

The Commission will therefore require that Comcast and Cellco comply with Commission Rule 4 CSR 240-2.040(3)(C) before accepting their filing.

Additionally, the Joint Application by Comcast and Cellco is deficient in that it does not satisfy the requirements of Commission rules, including but not necessarily limited to 4 CSR 240-2.060(1) and its subparts which require: (A) address, e-mail and telephone number of applicant; (C) certificate from the Secretary of State; (D) partnership information; (E) fictitious name registration; (G) incorporation by reference of required information; (K) pending actions; (L) annual reports and assessments; and (M) verification.

Because the Commission must act on a request for approval of an interconnection agreement within 90 days, this Joint Application must be rejected in order to prevent the operation of law date from approaching while the applicants attempt to comply with Commission rules.

IT IS ORDERED THAT:

1. The Joint Application filed by Comcast Phone of Missouri, LLC, d/b/a Comcast Digital Phone and Cellco Partnership d/b/a Verizon Wireless is rejected.
2. This case is closed.
3. The parties may submit a new application in compliance with Commission rules.

4. This order shall become effective on March 20, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Steven C. Reed, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of March, 2006.