

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

In the Matter of the Petition for	)	
Arbitration of Unresolved Issues in a	)	
Section 251(b)(5) Agreement with T-	)	Case No. TK-2006-0546
Mobile USA, Inc.	)	

STAFF RECOMMENDATION

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

1. The Missouri Public Service Commission (Commission) issued an Arbitration Order in Case No. TO-2006-0147 (a compulsory arbitration of disputed issues pertaining to the negotiation of interconnection agreements between the Parties) on March 23, 2006. The Order directed the Parties to file their interconnection agreements pursuant to the Arbitration Order no later than April 22, 2006. The Commission subsequently granted the Parties' two joint requests for more time and the Parties were directed to file their agreements no later than June 22, 2006. Staff has 30 days from the date of the submission of an agreement to issue its Recommendation.

2. Under the terms of the Telecommunications Act of 1996, the Commission may only "reject an agreement (or any portion thereof) adopted by arbitration under subsection (b) if it finds that the agreement does not meet the requirements of section 251, including the regulations prescribed by the Commission, or the standards set forth in subsection (d) of this section." 47 U.S.C. 252(e)(2). The agreement was adopted by arbitration under 47 U.S.C. 252(b) and thus this standard controls the Commission's review.

3. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission approve the Agreement.

4. Staff has reviewed the proposed Agreement and believes it conforms to the Arbitrator's Report and the Commission's Order in Case No. TO-2006-0147. The Staff further believes that the proposed Agreement conforms to the standards set forth in 47 U.S.C. 251 and 252(d).

WHEREFORE, because the terms of this agreement conform to the Arbitrator's Report and Commission's Arbitration Order in TO-2006-0147 and conform to the standards set forth in 47 U.S.C. 252(e)(2), the Staff recommends the Commission grant approval of the Agreement. The Staff further recommends that the Commission direct the Parties to the Agreement to submit any future modifications or amendments to the Agreement to the Commission for approval.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz

Assistant General Counsel

Missouri Bar No. 57128

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Missouri Public Service Commission
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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 14th day of July 2006.

/s/ Jennifer Heintz

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. TK-2006-0546
Party: Miller Telephone Company
Type of Carrier:
☒ ILEC
☐ CLEC
☐ Wireless

Party: T-Mobile USA, Inc.
Type of Carrier:
☐ ILEC
☐ CLEC
☒ Wireless

From: Walt Cecil, Telecommunications Department

Natelle Dietrich/July 5, 2006
Utility Operations Division/Date

William K. Haas/July 5, 2006
General Counsel Office/Date

Subject: Staff Recommendation for Approval of Arbitrated Interconnection Agreement

Date: July 5, 2006

Date Filed: June 22, 2006

Staff Deadline: July 22, 2006

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 conforms to the Arbitrator's Report and the Commission's Arbitration Order in TO-2006-0147. The Agreement also meets the requirements of section 251 of the Act, as well as the pricing standards in Section 252(d). Under provisions of the Act, the Commission may only reject "an agreement (or any portion thereof) adopted by arbitration under subsection (b) if it finds that the agreement does not meet the requirements of section 251, including the regulations prescribed by the Commission, or the standards set forth in subsection (d) of this section."

Staff recommends approval of the agreement. Staff also recommends the Commission direct the Parties to submit any modifications or amendments to the Commission.

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.

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Arbitration of Unresolved Issues in a)
Section 251 (b)(5) Agreement with T-)
Mobile USA, Inc.)

[illegible]

Walt Cecil, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in the preparation of the accompanying memorandum and that the facts therein are true and correct to the best of his knowledge and belief.

Walt Carr

Walt Cecil

Subscribed and affirmed before me this 5th day of July, 2006. I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on March 16, 2009.



DAWN L. HAKE
My Commission Expires
March 16, 2009
Cole County
Commission #05407643

Dawn R. Hale

NOTARY PUBLIC