

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

In the Matter of the Application of Lathrop)	
Telephone Company for Approval of an)	
Interconnection and Reciprocal Compensation)	<u>Case No. IK-2010-0046</u>
Agreement Under the Telecommunications)	
Act of 1996.)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits its Staff Recommendation as follows:

1. On August 3, 2009, Lathrop Telephone Company (Lathrop or the Company) filed with the Missouri Public Service Commission (the Commission) its Application Of Lathrop Telephone Company For Approval Of An Interconnection And Reciprocal Compensation Agreement Under The Telecommunications Act Of 1996 (Application), in which Lathrop seeks approval of an Interconnection and Reciprocal Compensation Agreement (Interconnection Agreement) executed between the Company and Sprint Spectrum L.P., d/b/a Sprint PCS (Sprint PCS) pursuant to the Telecommunications Act of 1996.

2. On August 5, 2009, the Commission issued its Order Directing Notice and Making Sprint Spectrum, L.P. a Party, directing notice be sent to interexchange and local exchange telecommunications companies, joining Sprint PCS as party to the case, setting an intervention deadline, and directing Staff to file a memorandum regarding Lathrop's Application by September 4, 2009.

3. The statutory standard for review of an interconnection and resale agreement can be found in Section 252(e) of the Telecommunications Act of 1996, which states that an interconnection agreement adopted by negotiation shall be submitted for approval to the state commission, but that the state commission may only reject such agreement if it discriminates

against a telecommunications carrier not a party to the agreement or if its implementation is not consistent with the public interest, convenience, and necessity. 42 U.S.C. § 252(e)(2).

4. In the attached Memorandum, labeled Appendix A, Staff states that the Interconnection Agreement does not discriminate against telecommunications carriers not parties to the Interconnection Agreement and that the Interconnection Agreement is not against the public interest, convenience or necessity.

5. Lathrop is not delinquent in filing its annual report, or in paying its PSC assessment, or MoUSF and Relay Missouri surcharges.

WHEREFORE, Staff recommends the Commission approve Lathrop's Application and direct the parties to submit to the Commission any subsequent modifications or amendments to the Interconnection Agreement.

Respectfully submitted,

/s/ Eric Dearmont

Eric Dearmont
Assistant General Counsel
Missouri Bar No. 60892

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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 2nd day of September, 2009.

/s/ Eric Dearmont

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. **IK-2010-0046**

Party: Lathrop Telephone Company

Type of Carrier:

- ☒ ILEC
☐ CLEC
☐ Wireless

Party: Sprint PCS

Type of Carrier:

- ☐ ILEC
☐ CLEC
☒ Wireless

From: Lisa Mahaney, Telecommunications Department

William Voight 9/2/09
Utility Operations Division/Date

Subject: Staff Recommendation for Approval of Interconnection Agreement or
Amendment to Interconnection Agreement

Date: 9/2/09

Date Filed: 8/3/09

Staff Deadline: 9/4/09

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted:

- ☒ Interconnection Agreement
☐ Amendment not previously approved

The parties submitted the proposed Agreement or Amendment 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.

☐ The applicants have not submitted a serially numbered copy of the Agreement or Amendment. Staff recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement or Amendment.

☒ Staff has a serially numbered copy of the Agreement or Amendment.

Additional Interconnection Agreement or Amendment Review Items

☒ No applications to intervene filed.

☒ Agreement or Amendment signed by both Parties.

Additional recommendations or special considerations (if any):

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

☐ No annual report ☐ Unpaid PSC assessment. Amount owed:
☐ Unpaid MoUSF ☐ Unpaid Relay Missouri

The Company is either delinquent or is not shown to be submitting revenue into the indicated fund based on the latest records available to the MoPSC. Failure to submit revenue to either the Relay Missouri Fund or the Missouri USF fund should not necessarily reflect the company is delinquent.

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Compensation Agreement Under the)
Telecommunications Act of 1996)

Case No. IK-2010-0046

AFFIDAVIT OF LISA MAHANEY

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Lisa Mahaney, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.



LISA MAHANEY

Subscribed and affirmed before me this 2nd day of September 2009.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #08942086



NOTARY PUBLIC