

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In Re: Interconnection, Collocation and Resale)
Agreement Between Embarq Missouri, Inc.)
d/b/a CenturyLink and Kentucky Data Link, Inc.)
Pursuant to Sections 251 and 252 of the)
Telecommunications Act of 1996)

File No. TK-2013-0035

ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND MAKING KENTUCKY DATA LINK A PARTY

Issue Date: July 30, 2012

Effective Date: July 30, 2012

Syllabus: This order provides notice of this application to interested parties, establishes a deadline for intervention and for requesting a hearing, and joins the other party to the interconnection, collocation and resale agreement, Kentucky Data Link, Inc. ("Kentucky Data Link"), as a party to this proceeding.

On July 27, 2012, Embarq Missouri, Inc., d/b/a CenturyLink ("CenturyLink") filed an application with the Commission for approval of a negotiated interconnection, collocation and resale agreement with Kentucky Data Link under the provisions of the federal Telecommunications Act of 1996. Embarq Missouri, Inc., d/b/a CenturyLink states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is consistent with public interest, convenience and necessity, and not discriminatory to nonparty carriers.

Although Kentucky Data Link is a party to the agreement, it did not join in the application. Because Kentucky Data Link is a necessary party to a full and fair adjudication of this matter, the Commission will add Kentucky Data Link 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. The Commission finds that proper persons shall be allowed 15 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. 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 August 14, 2012, with:

Steven C. Reed, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

¹ 47 U.S.C. § 252(e).

Or by using the Commission's electronic filing and information service.

4. The Staff of the Commission shall file a recommendation advising either approval or rejection of this agreement and giving the reasons therefor no later than August 28, 2012.

5. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the Secretary.

Steven C. Reed
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 30th day of July, 2012.