

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

Application of Peace Valley Telephone	)	
Company for Approval of a Traffic	)	
Termination Agreement under the	)	Case No. TO-2006-0227
Telecommunications Act of 1996.	)	

**STAFF RECOMMENDATION**

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

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission approve the Interconnection Agreement between Peace Valley Telephone Company and United States Cellular Corporation.

2. The Commission's authority to approve or reject this Interconnection Agreement is pursuant to 47 U.S.C. § 252(e) of the Telecommunications Act of 1996.

3. The Staff concludes that the Interconnection Agreement does not discriminate against telecommunications carriers not a party to the Agreement and the Agreement is not against the public interest, convenience or necessity. The Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission for approval.

WHEREFORE, the Staff recommends approval of the Interconnection Agreement.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ Marc D. Poston**

---

Marc D. Poston  
Senior Counsel  
Missouri Bar No. 45722

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-8701 (Telephone)  
(573) 751-9285 (Fax)  
[marc.poston@psc.mo.gov](mailto:marc.poston@psc.mo.gov)

### **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 21st day of December 2005.

**/s/ Marc D. Poston**

**To:** Missouri Public Service Commission Official Case File

Case No.: **TO-2006-0227**

**From:** Arthur P. Kuss  
Telecommunications Department

**Date:** December 20, 2005

William Voight 12/20/05  
Utility Operations Division/Date

Marc Poston 12/21/05  
General Counsel's Office/Date

**Subject:** Staff Recommendation for Approval of Interconnection Agreement

**Date Filed:** November 28, 2005

**Staff Deadline:** December 29, 2005

**Party:** **Peace Valley Telephone Company** (Peace Valley)

Type of Certification: ☐ None  
☒ Basic Local  
☐ Local (Restricted to Private Line)  
☐ Local (No Restrictions)  
☐ Interexchange

**Party:** **United States Cellular Corporation** (US Cellular)

Type of Certification: ☒ None  
☐ Basic Local  
☐ Local (Restricted to Private Line)  
☐ Local (No Restrictions)  
☐ Interexchange

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted (may check more than one):

- ☐ Resale Agreement
- ☐ Facilities-based Interconnection Agreement
- ☒ Wireless Interconnection Agreement

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 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 for approval.

### Interconnection Agreement Review Items

☒ No applications to intervene have been filed.

Intervention

December 19,

Deadline:

2005

☒ The Agreement has been signed by both Parties.

☐ Staff does not have a serially numbered copy of the Agreement and recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement.

☒ Staff has a serially numbered copy of the Agreement.

### Annual report & Assessment Information

☒ The Parties are not delinquent in filing annual reports or paying the PSC assessments.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

☐ No annual report. ☐ Unpaid PSC assessment. Amount owed:

☒ There is an attachment to this Appendix indicating additional recommendations or special considerations. See below.

### Attachment:

1. The Parties have submitted this negotiated Agreement pursuant to Section 252 of the Telecommunications Act of 1996, and characterized the Agreement as a "Traffic Termination Agreement." Staff can find no reference in Section 252 to "Traffic Termination Agreement." Consequently, Staff recommends the Commission issue an Order approving a wireless "Interconnection Agreement" and not an Order approving a "Traffic Termination Agreement."
2. The Interconnection Agreement (IA) includes rate schedules addressing compensation for traffic transited by means of networks of third party telecommunications providers.
3. The Parties represent that this IA resolves all past claims related to traffic exchanged between the Parties (Section 5.4).