

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Orchard Farm Telephone Company)
for Approval of a Traffic Exchange Agreement)
under the Telecommunications Act of 1996.) **Case No. TO-2006-0445**

ORDER DIRECTING NOTICE AND MAKING
CHARTER FIBERLINK – MISSOURI, LLC, A PARTY

Issue Date: May 25, 2006

Effective Date: May 25, 2006

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Charter Fiberlink – Missouri, LLC, as a party to this proceeding.

On May 24, 2006, Orchard Farm Telephone Company filed an application with the Commission for approval of its Interconnection Agreement with Charter Fiberlink – Missouri, LLC under the provision of the federal Telecommunications Act of 1996.

Although Charter is a party to the agreement, it did not join in the application. Because Charter is a necessary party to a full and fair adjudication of this matter, the Commission will add Charter as a party to this case.

The Act provides that an interconnection 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

¹ 47 U.S.C. §252(e).

submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with the case expeditiously. The Commission finds that proper persons shall be allowed 20 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.

IT IS THEREFORE ORDERED:

1. That the Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. That Charter Fiberlink – Missouri, LLC is made a party to this case.
3. That any party wishing to request a hearing shall do so by filing a pleading no later than June 14, 2006, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Brian T. McCartney
Brydon, Swearengen & England P.C.
Post Office Box 456
Jefferson City, Missouri 65102

Norman (Chip) B. Gerry
Friend, Hudak & Harris LLP
Three Ravinia Drive, Suite 1450
Atlanta, Georgia 30346

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than June 26, 2006.

5. That this order shall become effective on May 25, 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)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 25th day of May, 2006.