

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Petition of MoKan Dial, Inc.,
for Arbitration of Unresolved Issues Pertaining to
a Section 251(b)(5) Agreement with United States
Cellular Corporation.

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Case No. TO-2005-0484

ORDER DIRECTING NOTICE AND MAKING
UNITED STATES CELLULAR A PARTY

Issue Date: June 14, 2005

Effective Date: June 14, 2005

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, United States Cellular Corporation, as a party to this proceeding.

On June 2, 2005, MoKan Dial, Inc., filed an application with the Commission for approval of its Interconnection Agreement with United States Cellular Corporation under the provision of the federal Telecommunications Act of 1996. MoKan states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest.

Although United States Cellular is a party to the agreement, it did not join in the application. Because United States Cellular is a necessary party to a full and fair adjudication of this matter, the Commission will add United States Cellular 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 submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with the case expeditiously. The Commission finds that proper persons should 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 should 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 United States Cellular Corporation 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 July 5, 2005, with:

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

and send copies to:

Craig S. Johnston
The Col. Darwin Marmaduke House
700 East Capital Avenue
Post Office Box 1438
Jefferson City, Missouri 65102-1438

¹ 47 U.S.C. §252(e).

Paul H. Gardner
Goller, Gardner and Feather
131 East High Street
Jefferson City, Missouri 65101

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 July 14, 2005.

5. That this order shall become effective on June 14, 2005.

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 14th day of June, 2005.