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ORDER GRANTING PARTICIPATION

United Telephone Company of Missouri d/b/a Sprint (Sprint) and Digital Teleport, Inc. (Digital) filed an Application with the Commission on October 6, 1997, for approval of an interconnection agreement between Sprint and Digital under the provisions of the Federal Telecommunications Act of 1996 (the Act). The Commission issued an Order and Notice directing interested parties to file applications to participate and requests for hearing no later than October 30. The Commission ordered that only participation, and not intervention, would be permitted in this case. Comments of participants were to be filed no later than December 3.

No requests for hearing were submitted on or before October 30. The Commission finds that a hearing is not necessary to resolve the issues in this case. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989). Further, no applications for participation were received before the October 30 deadline. However, on November 24, The Mid-Missouri Group of Local Exchange Telephone Companies¹ (Mid-Mo Group) simultaneously filed a Motion

¹ The Mid-Missouri Group of Local Exchange Telephone Companies consists of the following entities: Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, MoKan Dial Inc., Modern Telecommunications Company, Northeast Missouri Rural Telephone Company, and Peace Valley Telephone Company.

for Leave to Apply to Participate Out-of-Time, an Application to Participate Without Intervention, and Comments on the interconnection agreement. The Comments reveal the Mid-Mo Group's concern with the termination of calls to nonparty local exchange companies (LECs) by the competitive local exchange company (CLEC) through Sprint's tandem switch. According to the Mid-Mo Group, nonparty LECs will have no way of knowing the volume of CLEC traffic terminated to the nonparty LEC without receiving specific reports from Sprint. As a result, nonparty LECs may not be appropriately compensated for calls terminated in their service areas. The Mid-Mo Group also expressed concern over the resale of metropolitan calling area (MCA) services in a competitive telecommunications environment. The Mid-Mo Group believes the resale of MCA services by the CLEC may result in undercompensation of nonparty LECs for intraLATA toll calls. Finally, the Mid-Mo Group believes that the proliferation of interconnection agreements, such as the agreement at issue in this case, will impose a considerable administrative burden on small nonparty LECs to track and bill for small amounts of traffic which may outweigh the benefit of receiving compensation for such traffic.

The Commission has reviewed the Mid-Mo Group's Motion, Application, and Comments, and finds that each of the constituent companies making up the Mid-Mo Group has an interest in this matter which is different from that of the general public. The Commission further concludes that as the Mid-Mo Group's Comments were filed more than a week before the Commission's original deadline for comments, no party will be prejudiced by granting the Mid-Mo Group leave to participate out-of-time. Therefore, the Commission finds that the Mid-Mo Group's Motion for Leave to Apply to Participate Out-of-Time shall be granted, that the Mid-Mo

Group's request for participation shall be granted, and that the Mid-Mo Group's comments shall be accepted.

THEREFORE, IT IS ORDERED:

1. That the Mid-Missouri Group of Local Exchange Telephone Companies' Motion for Leave to Apply to Participate Out-of-Time is granted.

2. That the following parties are granted participation without intervention in this case in accordance with 4 CSR 240-2.075 (5):

The Mid-Missouri Group of Local Exchange Telephone Companies
(Alma Telephone Company, Chariton Valley Telephone Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, MoKan Dial Inc., Modern Telecommunications Company, Northeast Missouri Rural Telephone Company, and Peace Valley Telephone Company).

3. That the Comments of the Mid-Missouri Group of Local Exchange Telephone Companies are accepted as filed.

4. That this order shall be effective on December 9, 1997.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin F. Hennessey, Regulatory
Law Judge, by delegation of
authority pursuant to 4 CSR
240-2.120(1) (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 9th day of December, 1997.