

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)
Southwestern Bell Telephone Company)
d/b/a AT&T Missouri For Approval of an) **File No. TK-2018-0151**
Interconnection Agreement Under the)
Telecommunications Act of 1996)

ORDER APPROVING INTERCONNECTION AGREEMENT

Issue Date: December 29, 2017

Effective Date: January 8, 2018

This order approves the Interconnection Agreement executed by the parties and filed by Southwestern Bell Telephone Company d/b/a AT&T ("AT&T").

On November 30, 2017, AT&T filed an application with the Commission for approval of a One-Way Paging Interconnection Agreement with SelectPath, Inc. ("SelectPath"). The Agreement was filed pursuant to Section 252(e)(1) of the Telecommunications Act of 1996.¹ Both AT&T and SelectPath hold certificates of service authority or are registered to provide basic local exchange telecommunications services in Missouri.

Although SelectPath is a party to the Agreement, it did not join in the application. On December 1, 2017, the Commission issued an order making SelectPath a party in this case and directing any party wishing to request a hearing to do so no later than December 18, 2017. No requests for hearing were filed.

The Staff of the Commission filed a memorandum and recommendation on December 19, 2017, recommending that the Agreement be approved.

¹ See 47 U.S.C. § 251, *et seq.*

Discussion

Under Section 252(e) of the Act, any interconnection agreement adopted by negotiation must be submitted to the Commission for approval. The Commission may reject an agreement if it finds that the agreement is discriminatory or that it is not consistent with the public interest, convenience and necessity.

Staff recommends that the Agreement be approved and notes that the Agreement meets the limited requirements of the Act in that it is not discriminatory toward nonparties and is not against the public interest. Staff recommends that the Commission direct the parties to submit any amendments to the Commission for approval.

Findings of Fact

The Commission has considered the application, the supporting documentation, and Staff's verified recommendation. Based upon that review, the Commission finds that the Agreement meets the requirements of the Act in that it does not discriminate against a nonparty carrier and implementation of the Agreement is not inconsistent with the public interest, convenience and necessity. The Commission finds that approval of the Agreement shall be conditioned upon the parties submitting any amendments to the Commission for approval pursuant to the procedure set out below.

Amendment Procedure

The Commission has a duty to review all interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.² In order for the Commission's role of review and approval to be effective, the Commission must also review and approve or recognize amendments to these agreements. The Commission has a

² 47 U.S.C. § 252.

further duty to make a copy of every interconnection agreement available for public inspection.³

The parties to each interconnection agreement must maintain a complete and current copy of the agreement, together with all amendments, in the Commission's offices. Any proposed amendment must be submitted pursuant to Commission rules 4 CSR 240-28.020(5) and 4 CSR 240-28.080.

Conclusions of Law

The Commission, under the provisions of Section 252(e)(1) of the federal Telecommunications Act of 1996,⁴ is required to review negotiated interconnection agreements. It may only reject a negotiated agreement upon a finding that its implementation would be discriminatory to a nonparty or inconsistent with the public interest, convenience and necessity.⁵ Based upon its review of the Agreement between AT&T and SelectPath and its findings of fact, the Commission concludes that the Agreement is neither discriminatory nor inconsistent with the public interest and shall be approved.

THE COMMISSION ORDERS THAT:

1. The Interconnection Agreement between Southwestern Bell Telephone Company d/b/a AT&T and SelectPath Inc., filed on November 30, 2017, is approved.
2. Any changes or amendments to this Agreement shall be submitted in compliance with 4 CSR 240-28.020(5) and 4 CSR 240-28.080.

³ 47 U.S.C. § 252(h).

⁴ 47 U.S.C. § 252(e)(1).

⁵ 47 U.S.C. § 252(e)(2)(A).

3. This order shall become effective on January 8, 2018.
4. This file may be closed on January 9, 2018.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

John T. Clark, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 29th day of December, 2017.

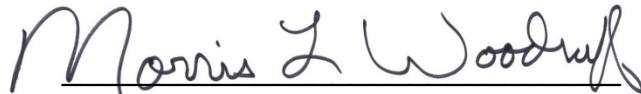
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 29th day of December 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 29, 2017

File/Case No. TK-2018-0151

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounselservice@psc.mo.gov

Office of the Public Counsel

Hampton Williams
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

AT&T Missouri

Leo J Bub
1010 Pine Street, Room 19E-D-01
St. Louis, MO 63101
leo.bub@att.com

**Missouri Public Service
Commission**

Lexi Klaus
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Lexi.Klaus@psc.mo.gov

SelectPath Inc

Legal Department
1600 Eubank NE, Bldg. C
PO Box 3397
Albuquerque, NM 87190
tthorsted@contactwireless.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.