

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Fidelity Telephone Company for)
Approval of a Traffic Termination Agreement) **Case No. TO-2006-0219**
under the Telecommunications Act of 1996)

ORDER DIRECTING NOTICE AND MAKING
UNITED STATES CELLULAR CORPORATION A PARTY

Issue Date: November 23, 2005

Effective Date: November 23, 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 November 22, 2005, Fidelity Telephone Company filed an application with the Commission for approval of an interconnection agreement with US Cellular under the provisions of the federal Telecommunications Act of 1996. Fidelity 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. Fidelity requests expeditious approval of the agreement.

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

The Act provides that an interconnection or resale 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 this 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 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 December 13, 2005, with:

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

and send copies to:

Brian McCartney, Esq.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102-0456

¹ 47 U.S.C. § 252(e).

G. Darryl Reed
Sidley, Austin, Brown & Wood, LLP
Bank One Plaza
10 South Dearborn Street
Chicago, Illinois 60603

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 December 23, 2005.

5. That this order shall become effective on November 23, 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)

Ronald D. Pridgin, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 23rd day of November, 2005.