

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Petitioner of Socket Telecom, LLC for Compulsory	)	
Arbitration of Interconnection Agreements with	)	
CenturyTel of Missouri, LLC and Spectra	)	<u>Case No. TO-2006-0299</u>
Communications Group, LLC Pursuant to Section	)	
252(b)(1) of the Telecommunications Act of 1996	)	

ORDER APPROVING INTERCONNECTION AGREEMENT

Issue Date: October 3, 2006

Effective Date: October 13, 2006

This order approves the Interconnection Agreement executed and filed by the parties in compliance with an order of the Missouri Public Service Commission.

On September 15, 2006, Socket Telecom, LLC and Spectra Communications Group, LLC filed an Interconnection Agreement for Commission approval under the provisions of the Telecommunications Act of 1996.¹ The Agreement was the result of arbitration between Socket and Spectra.

The Staff of the Commission filed a memorandum and recommendation on October 2, 2006, recommending that the Agreement be approved.

Discussion

Under Section 252(e) of the Act, any interconnection agreement adopted by arbitration 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.

¹ See 47 U.S.C. § 251, *et seq.*

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

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact.

The Commission has considered the application, the supporting documentation, and Staff's recommendation and memorandum. Based upon that review, the Commission concludes that the Agreement meets the requirements of the Act in that it does not discriminate against a nonparty carrier and that 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 resale and 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 further duty to make a copy of every resale and interconnection agreement available for

² 47 U.S.C. § 252.

public inspection.³ This duty is in keeping with the Commission's practice under its own rules of requiring telecommunications companies to keep their rate schedules on file with the Commission.⁴

The parties to each resale or 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 rule 4 CSR 240-3.513(6).

Conclusions of Law

The Missouri Public Service Commission has arrived at the following conclusions of law.

The Commission, under the provisions of Section 252(e)(1) of the Telecommunications Act of 1996,⁵ is required to review arbitrated interconnection agreements. It may only reject an agreement if it finds that implementing the agreement would be discriminatory to a nonparty or that it is not consistent with the public interest, convenience and necessity.⁶ Based upon its review of the Agreement between Socket and Spectra 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 notes that prior to providing telecommunications services in Missouri, a party shall possess the following: (1) an interconnection agreement approved

³ 47 U.S.C. § 252(h).

⁴ 4 CSR 240-3.545.

⁵ 47 U.S.C. § 252(e)(1).

⁶ 47 U.S.C. § 252(e)(2)(A).

by the Commission; (2) except for wireless providers, a certificate of service authority from the Commission to provide interexchange or basic local telecommunications services; and (3) except for wireless providers, a tariff approved by the Commission.

IT IS ORDERED THAT:

1. The Interconnection Agreement of Socket Telecom, LLC and Spectra Communications Group, LLC, filed on September 15, 2006, is approved.
2. Any changes or amendments to this Agreement shall be submitted in compliance with 4 CSR 240-3.513(6).
3. This order shall become effective on October 13, 2006.
4. This case may be closed on October 14, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 3rd day of October, 2006.