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FILED

JUL 16 1999

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Missouri Public  
Service Commission

July 16, 1999

Mr. Dale Hardy Roberts  
Executive Secretary-Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102-0360

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JUL 16 1999  
Records  
Public Service Commission

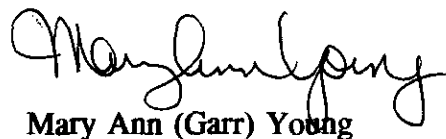
RE: Case No. <sup>PB</sup> 10-2000-26  
McLeodUSA Communications, LLC's, Application for Approval of Interconnection  
Agreement with Southwestern Bell Telephone Company

Dear Mr. Roberts:

Enclosed please find an original and fourteen copies of the Application for Approval of Interconnection Agreement of McLeodUSA Telecommunications Services, Inc. (McLeodUSA), for filing with the Commission. The original and five copies of the Interconnection Agreement between McLeodUSA and Southwestern Bell Telephone Company (SWBT) are also enclosed, per the Notice of Waiver of Interconnection Agreement Filing Requirements issued January 4, 1999, by the Secretary of the Commission. A diskette copy of the Resale Agreement will be filed at a later date, if available.

Thank you for your assistance in processing this filing. Copies of the Application and Interconnection Agreement are being served on the Office of Public Counsel and counsel for SWBT. If there are any questions, please call me at 634-8109.

Sincerely yours,

  
Mary Ann (Garr) Young

Enclosures

cc: Office of Public Counsel  
Southwestern Bell Telephone Company  
Richard Lipman, McLeodUSA

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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Application of  
  
McLeodUSA Telecommunications  
Services, Inc.  
  
for Approval of an Interconnection  
Agreement Under the  
Telecommunications Act of 1996

Case No.

7b  
TO-2000-26

**APPLICATION FOR APPROVAL OF INTERCONNECTION AGREEMENT**

COMES NOW McLeodUSA Telecommunications Services, Inc., (McLeodUSA), and files its Application for Approval of Interconnection Agreement (Agreement) between McLeodUSA and Southwestern Bell Telephone Company (SWBT) under the Telecommunications Act of 1996 (Federal Act). In support of that Application, McLeodUSA states as follows:

**I. INTERCONNECTION AGREEMENT REACHED**

McLeodUSA presents to this Commission for approval an Interconnection Agreement entered into between SWBT and McLeodUSA, executed pursuant to the terms of the Federal Act. A copy of the Agreement is provided as Exhibit A. This Interconnection Agreement adopts the terms of the Interconnection Agreement between Northpoint Communications, Inc., (Northpoint) and SWBT<sup>1</sup> pursuant to Section 252(i) of the Federal Act. This Agreement was executed by McLeodUSA on July 2, 1999, and by SWBT on July 8, 1999. The Agreement

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<sup>1</sup>The Interconnection Agreement between Northpoint and SWBT which is adopted by the Interconnection Agreement filed herein was approved by the Commission by Order issued January 6, 1999, in Case No. TO-99-168 (See footnote \*\*\* on seriatim page number 38). SWBT has reserved certain rights in footnotes \* and \*\*, pending appeal of the Commission's Order in Case Nos. TO-97-40 and TO-98-115, and asserts in footnote \* on Page 32 of 33 (seriatim page number 37) of this Interconnection Agreement that "Southwestern Bell has signed this document under compulsion of federal and/or state law".

consists of 626 pages numbered seriatim, including 24 attachments, 14 appendices, and 2 exhibits which are incorporated into the Agreement. There are no outstanding issues between McLeodUSA and SWBT that need the assistance of mediation or arbitration.

## **II. REQUEST FOR APPROVAL**

McLeodUSA seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act and Missouri law. The implementation of this Agreement complies fully with Section 252(3) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

McLeodUSA respectfully requests that the Commission grant expeditious approval of this Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiations and compromise between the parties.

The agreement has been stamped with seriatim page numbers; thus, the Commission should not need to order an additional page-numbered copy to be filed upon approval.

## **III. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Federal Act which provides as follows:

### **(e) Approval by State Commission**

- (1) Approval required.--Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.**

(2) Grounds for rejection.--The state commission may only reject--

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that--
  - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity.

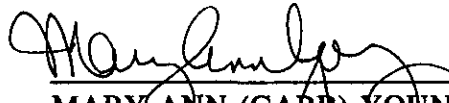
#### IV. MISSOURI LAW

The executed Agreement is consistent with Missouri Law.

#### V. CONCLUSION

For the reasons set forth above, McLeodUSA respectfully requests that the Commission approve the Agreement expeditiously.

Respectfully submitted,




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Telephone: 573-634-8109  
Facsimile: 573-634-8224

Attorney for McLeodUSA  
Communications, Inc.

Dated: July 16, 1999

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this document was hand-delivered or mailed by first class mail, postage prepaid, to the Office of Public Counsel and counsel for Southwestern Bell Telephone Company this 16th day of July 1999.

  
\_\_\_\_\_  
Mary Ann Young

STATE OF Iowa )  
 )  
COUNTY OF Linn ) ss.

**VERIFICATION**

I, David R. Conn, being duly sworn according to law, depose and say that I am an officer of McLeodUSA Telecommunications Services, Inc.; that I am authorized to and do make this verification for it; and that the facts set forth in the above Application are true and correct to the best of my knowledge, information and belief.

David R. Conn

SUBSCRIBED AND SWORN to me this 15 day of July, 1999.



Beth Ann Schau  
Notary Public