

LAW OFFICES
MILLAR, SCHAEFER, HOFFMANN & ROBERTSON

DAVID G. MILLAR
GREGORY F. HOFFMANN
JAMES E. ROBERTSON

SUITE 1110
230 SOUTH BEMISTON AVENUE
ST. LOUIS, MISSOURI 63105
TELEPHONE (314) 862-0983
FAX (314) 862-3490

EDWIN M. SCHAEFER
OF COUNSEL
DAVID L. MILLAR 1895-1993

October 18, 1999

FILED

OCT 19 1999

VIA FEDERAL EXPRESS

Mr. Cecil I. Wright, Executive Secretary
Missouri Public Service Commission
P. O. Box 360530
Truman State Office Building
301 W. High Street
Jefferson City, Missouri 65102-0360

Missouri Public
Service Commission

TO-2000-291

In re: Navigator Telecommunications, L.L.C. -
Application for Approval of an Interconnection
Agreement with Southwestern Bell Telephone Company

Dear Mr. Wright:

On behalf of Navigator Telecommunications, L.L.C., I submit herewith for filing with the Public Service Commission an original and fourteen copies of an Application for Approval of an Interconnection Agreement with Southwestern Bell Telephone Company under the Telecommunications Act of 1996.

In addition, I submit herewith for filing an original and five copies of the Interconnection Agreement between Navigator Telecommunication, L.L.C. and Southwestern Bell Telephone Company.

Thank you for your assistance in this matter. If any further information or documentation is required to process this Application, please do not hesitate to contact me.

Very truly yours,

MILLAR, SCHAEFER, HOFFMANN & ROBERTSON

By *Gregory F. Hoffmann*
Gregory F. Hoffmann

GFH:jh
cc: Mr. Mike McAlister

FILED

BEFORE THE PUBLIC SERVICE COMMISSION OCT 19 1999
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

In the matter of the Application of
Navigator Telecommunications, LLC.,
for approval of an Interconnection Agreement
with Southwestern Bell Telephone Company
under the Telecommunications Act of 1996

Case No. TO-2000-291

APPLICATION OF NAVIGATOR TELECOMMUNICATIONS, LLC. FOR
APPROVAL OF AN INTERCONNECTION AGREEMENT UNDER THE
TELECOMMUNICATIONS ACT OF 1996

Comes now Navigator Telecommunications, LLC. ("Navigator"), by its undersigned counsel, and hereby files its Application for Approval of an Interconnection Agreement with Southwestern Bell Telephone Company ("SWBT") under the Telecommunications Act of 1996. In support of its application, Navigator states as follows:

I. INTERCONNECTION AGREEMENT REACHED

1. After good faith negotiations, pursuant to the terms of the Telecommunications Act of 1996, to address all of the complex issues involved in an agreement between competing carriers, SWBT and Navigator executed an Interconnection Agreement (hereinafter referred to as the "Agreement") on September 17, 1999, together with various attachments incorporated therein. The Agreement is filed separately and contemporaneously with this Application and incorporated herein by reference. All matters between the parties have now been successfully negotiated and resolved.

II. REQUEST FOR APPROVAL

2. Navigator seeks the Commission's approval of the Agreement, consistent with the provisions of the Telecommunications Act of 1996. Navigator believes that the implementation of this Agreement complies fully with Section 252(e) of the Telecommunications Act of 1996 because the Agreement is consistent with the public interest, convenience, and necessity and does not discriminate against any telecommunications carrier. The Agreement will promote diversity in providers, will provide interconnectivity, and will increase customer choices for telecommunications services. Navigator is currently providing such service in Missouri pursuant to a certificate granted by the Commission, its effective tariff, and its prior Interconnection Agreement with SWBT that was approved by the Commission by Order dated May 27, 1998, in Case No. TO-98-375.

3. Navigator respectfully requests that the Commission grant expeditious approval of this Agreement, without change, suspension, or delay in its implementation. This is a bilateral agreement, reached as a result of negotiations and compromise between competitors, and intervention by others who are not parties to the Agreement should not be necessary.

III. STANDARD FOR REVIEW

4. The statutory standards of review are set forth in Section 252(e) of the Telecommunications Act of 1996 which provides as follows:

- (1) **APPROVAL REQUIRED** – Any interconnection agreement adopted by negotiations 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) GROUND 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

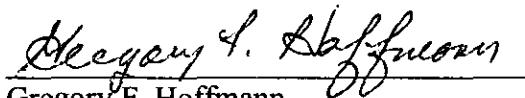
(ii) the implementation of such agreement is not consistent with the public interest, convenience, and necessity[.]

5. The affidavit of Louis F. McAlister, Jr., the President and Chief Executive Officer of Navigator, attached hereto and incorporated herein, verifies that the Agreement submitted herein satisfies these standards.

IV. CONCLUSION

WHEREFORE, Navigator respectfully requests that the Commission approve the September 17, 1999, Interconnection Agreement executed between SWBT and Navigator.

Respectfully submitted,


Gregory F. Hoffmann

Missouri Bar No. 22101

Millar, Schaefer, Hoffmann & Robertson

230 South Bemiston Avenue, Suite 1110

St. Louis, Missouri 63105

(314) 862-0983 Telephone

(314) 862-3490 Facsimile

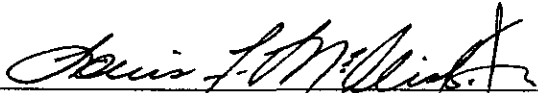
Attorneys for Navigator Telecommunications, LLC.

VERIFICATION

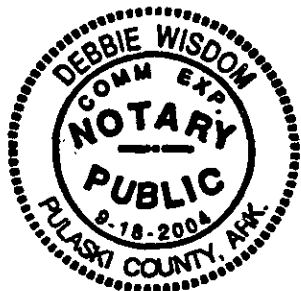
STATE OF ARKANSAS)
) ss.
COUNTY OF PULASKI)

BEFORE ME, the undersigned Notary Public, personally appeared LOUIS F. McALISTER, JR., who, after being first duly sworn, deposed and said on oath:

That he is the President and Chief Executive Officer of the applicant; that he has seen and reviewed the Application and Interconnection Agreement referred to and incorporated therein, and has read same; and that all allegations contained therein are true and correct to the best of his knowledge, information, and belief.


Louis F. McAlister, Jr., as President and CEO,
Navigator Telecommunications, LLC.

SWORN TO AND SUBSCRIBED before me, Notary, at my office in Little Rock,
Arkansas, this 13 day of October, 1999.




Notary Public, Pulaski County, Arkansas

My Commission Expires: 9-18-04

CERTIFICATE OF SERVICE

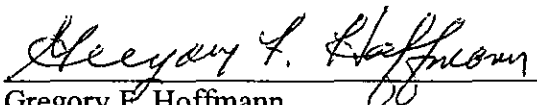
I hereby certify that copies of the foregoing Application for Certificate of Authority of Navigator Telecommunications, LLC. have been mailed to those listed below, as of this 18th day of October, 1999:

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Legal Department
Southwestern Bell Telephone Co.
One Bell Center, Room 3520
St. Louis, MO 63101

Michael McAlister
General Counsel
Navigator Telecommunications, LLC.
P.O. Box 8004
Little Rock, AR 72203



Gregory F. Hoffmann