

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Adoption of an Interconnection )  
Agreement with Sprint Missouri, Inc., by Socket ) **Case No. CO-2005-0039**  
Telecom, LLC. )

**ORDER APPROVING INTERCONNECTION AGREEMENT**

Issue Date: December 12, 2005

Effective Date: December 14, 2005

This order approves the interconnection agreement between the parties filed by Sprint Missouri, Inc., d/b/a Sprint.

On August 4, 2004, Socket Telecom, LLC, initiated this case by filing a Notice of Adoption of Interconnection Agreement, proposing to adopt the interconnection agreement between Sprint and Level 3 Communications, LLP, for its interconnection with Sprint. The Commission issued its Order Recognizing Adoption of Interconnection Agreement on September 14, 2004. On September 23, 2005, Sprint requested that the Commission rehear the case because of Federal Communications Commission interim rules that became effective on September 13, 2004.<sup>1</sup> Both Socket and the Staff of the Missouri Public Service Commission opposed Sprint's motion.

The Commission granted rehearing on December 7, 2004. Thereafter, Socket and Sprint indicated their intent to file an agreed-to amendment to their interconnection

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<sup>1</sup> *In the Matter of the Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Incumbent Local exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338, Order and Notice of Proposed Rulemaking (Released August 20, 2004, Effective Date: September 13, 2004).

agreement. After a series of status reports, that agreement was filed on September 15, 2005. Sprint filed a corrected page to the amendment on September 22, 2005.

The agreement was filed pursuant to Section 252(e)(1) of the Telecommunications Act of 1996.<sup>2</sup> Both Sprint and Socket hold certificates of service authority to provide basic local exchange telecommunications services in Missouri.

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 filed a recommendation and memorandum on November 22, 2005. 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 further agreements 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 agreement and Staff's recommendation. Based upon that review, the Commission concludes that the agreement as amended meets the requirements of the Act in that it does not discriminate against a nonparty carrier and implementation of the agreement as amended is not inconsistent with the public interest, convenience and necessity. The Commission finds that approval of the agreement as

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<sup>2</sup> See 47 U.S.C. § 251, *et seq.*

amended shall be conditioned upon the parties submitting any further amendments to the Commission for approval pursuant to the procedure set out below.

### **Agreement Procedure**

The Commission has a duty to review all interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.<sup>3</sup> 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 interconnection agreement available for public inspection.<sup>4</sup> 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.<sup>5</sup>

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 rule 4 CSR 240-3.513(6).

### **Conclusions of Law**

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

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<sup>3</sup> 47 U.S.C. § 252.

<sup>4</sup> 47 U.S.C. § 252(h).

<sup>5</sup> 4 CSR 240-3.545.

The Commission, under the provisions of Section 252(e)(1) of the federal Telecommunications Act of 1996,<sup>6</sup> 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.<sup>7</sup> Based upon its review of the agreement between Sprint and Socket and its findings of fact, the Commission concludes that the agreement as amended 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 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 THEREFORE ORDERED:**

1. That the interconnection agreement between Sprint Missouri, Inc., d/b/a Sprint, and Socket Telecom, LLC, filed on September 15, 2005, and corrected on September 22, 2005, is approved.

2. That any changes or amendments to the agreement shall be submitted in compliance with 4 CSR 240-3.513(6).

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<sup>6</sup> 47 U.S.C. § 252(e)(1).

<sup>7</sup> 47 U.S.C. § 252(e)(2)(A).

3. That this order shall become effective on December 14, 2005.
4. That this case may be closed on December 15, 2005.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Cully M. Dale', written over a horizontal line.

Cully M. Dale  
Secretary

( S E A L )

Nancy Dippell, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 12th day of December, 2005.