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April 14, 2003

Office of the Secretary  
ATTN: Data Center  
Missouri Public Service Commission  
200 Madison Street, Suite 650  
Jefferson City, Missouri 65102

**FILED<sup>4</sup>**  
APR 14 2003  
Missouri Public  
Service Commission

Re: The Interconnection and Resale Agreement By and Between Sprint Missouri, Inc. and Digital Teleport, Inc. Under Sections 251 and 252 of the Telecommunications Act of 1996.

Dear Mr. Secretary:

Please find enclosed for filing with the Commission, an original and five (5) copies of the Application of Sprint Missouri, Inc. d/b/a Sprint for Approval of an Interconnection and Resale Agreement and the original and three (3) copies of the Agreement. I would appreciate your filing the same and returning a file stamped copy of the Application to me in the enclosed, self addressed envelope.

In addition, correspondence to Digital Teleport, Inc. regarding this application may be directed to: Daniel A. Davis, Senior Vice President, Digital Teleport, Inc., 14567 N. Outer Forty, Chesterfield, Missouri 63017

If you have any questions or comments, please do not hesitate to contact me at (913) 315-9363.

Very truly yours,

Lisa Creighton Hendricks

LCH:mkj  
Enclosures

cc: Parties of Record

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

**FILED<sup>4</sup>**  
APR 14 2003  
Missouri Public  
Service Commission

**In Re: The Master Interconnection and Resale )  
Agreement Between Sprint Missouri, Inc. )  
And Digital Teleport, Inc. Under Sections )  
251 and 252 of the Telecommunications )  
Act of 1996 )**

Case No. \_\_\_\_\_

**APPLICATION OF SPRINT MISSOURI, INC. FOR APPROVAL  
OF A MASTER INTERCONNECTION AND RESALE AGREEMENT**

COMES NOW, Sprint Missouri, Inc, d/b/a Sprint (hereinafter "Sprint") and hereby files its Application for Approval of an Interconnection and Resale Agreement between Digital Teleport, Inc. and Sprint Missouri, Inc. d/b/a Sprint under the Telecommunications Act of 1996 (the Federal Act). In support of its application, Sprint states as follows:

**I. APPLICANT**

Sprint is a Missouri corporation with offices at 319 Madison, Jefferson City, Missouri 65102. Sprint is authorized to transact business within the State of Missouri and is authorized by the Missouri Public Service Commission ("Commission") to provide basic local and interexchange telecommunications service within the state.

Sprint was originally incorporated in Missouri in 1929 as The United Telephone Company. A restatement of its certification was received in Case No. TA-88-87. Sprint has received all necessary Commission and Secretary of State's Office approvals for subsequent name changes and is a corporation in good standing in the State of Missouri.

Evidence of proper name registrations was most recently provided to this Commission in Case No. TO-97-53 (Re: United Telephone Company of Missouri's

Adoption Notice Designed to Change the Company's Name to United Telephone Company of Missouri d/b/a Sprint) and Case No. TO-98-107 (Application of United Telephone Company of Missouri d/b/a Sprint for Approval of Name Change to Sprint Missouri, Inc.). Sprint requests that the information in those cases be incorporated herein by reference. To Sprint's knowledge there are no overdue assessments or annual reports nor are there any pending actions or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

## **II. INTERCONNECTION AND RESALE AGREEMENT**

Sprint presents to the Missouri Public Service Commission (Commission) its application pursuant to the terms of the Federal Act. Sprint Missouri, Inc., a Missouri corporation, and Digital Teleport, Inc. a Missouri CLEC entered into an Interconnection and Resale Agreement (the Agreement) dated November 20, 2002. The Agreement between the parties consists of the Agreement between Sprint Missouri, Inc. and Missouri Network Alliance, LLC dated May 1, 2001 and approved by this Commission in Case No. TO-2001-632. There are no outstanding issues related to the Agreement between the parties which requires the assistance of mediation or arbitration.

## **III. STANDARD FOR REVIEW**

The statutory standard of review under Section 252(e) of the Act states:

- (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 to shall approve or reject the agreement, with written findings as to any deficiencies.
  - (2) under subsection (a) if it finds Grounds for Rejection. The State commission may only reject.

(A) an agreement (or any portion thereof) adopted by negotiation 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; or...

Applicant further states that the Agreement is consistent with the public interest, convenience and necessity in that it allows for full and fair competition and greater choice for the consumer. The Applicant further states that the Agreement does not discriminate against other carriers not a party to the Agreement as the terms of the Agreement are equally available to any other carrier.

#### **IV. REQUEST FOR APPROVAL**

Sprint seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act. Both parties believe that the implementation of this Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement promotes diversity in providers, provides interconnectivity, and increases customer choices for telecommunications services.

Sprint and Digital Teleport, Inc. respectfully request that the Commission grant approval of the Agreement, without change, suspension or other delay in its implementation.

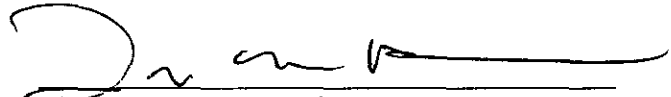
V. MISSOURI LEGISLATION

The negotiated and executed Agreement is consistent with the Missouri Legislation, Senate Bill No. 507, which became effective on August 28, 1996.

VI. CONCLUSION

WHEREFORE, for the foregoing reasons, Applicant prays that the Commission approve the Master Interconnection and Resale Agreement between Sprint Missouri, Inc., and Digital Teleport, Inc.

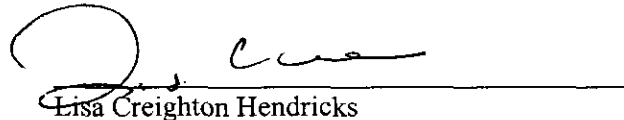
Respectfully submitted,



Lisa Creighton Hendricks - MO Bar #42194  
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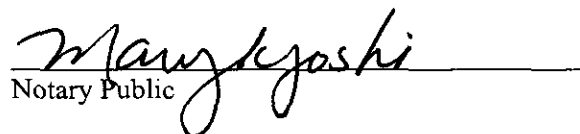
VERIFICATION

I, Lisa Creighton Hendricks, an attorney and duly authorized representative of Sprint Missouri, Inc. hereby verify and affirm that I have read the foregoing Application of Sprint Missouri, Inc., d/b/a Sprint For Approval of a Master Interconnection and Resale Agreement, and that the statements contained therein are true and correct to the best of my information and belief.



Lisa Creighton Hendricks

Subscribed and sworn to before me on this 11<sup>th</sup> day of April, 2003.



Notary Public

My Commission Expires:

**CERTIFICATE OF SERVICE**

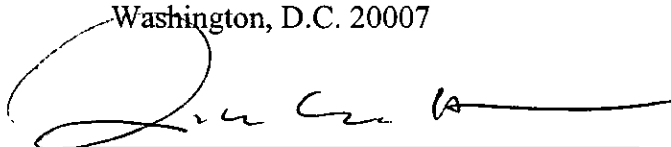
The undersigned hereby certifies that on this 14<sup>th</sup> day of April, 2003, a copy of the above and foregoing and any attachments were served by U.S. Mail, postage prepaid and or email or facsimile to each of the following:

Office of the Public Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101

Daniel A. Davis  
Senior Vice President  
Digital Teleport, Inc.  
14567 N. Outer Forty  
Chesterfield, Missouri 63017

Office of the General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101

Zenas J. Choi  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 3000  
Washington, D.C. 20007

  
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