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\*ALSO ADMITTED IN  
KANSAS AND MASSACHUSETTS

February 6, 2003

**FILED**<sup>4</sup>

FEB 07 2003

Mr. Dale Hardy Roberts, Secretary of the Commission  
Missouri Public Service Commission  
200 Madison Street - Suite 100  
Jefferson City, MO 65101

Missouri Public  
Service Commission

RE: Application of BBC Telephone, Inc. for Approval of Interconnection Agreement

Dear Mr. Roberts:

Enclosed please find an original and eight copies of the Application of BBC Telephone, Inc. ("BBC") for Approval of Interconnection Agreement for filing with the Commission. This Application requests approval of an Interconnection Agreement between BBC and Southwestern Bell Telephone Company. The original and 5 copies of the Interconnection Agreement and Amendment have previously been provided on January 15, 2003 at the time of filing the Application for Certificate of Service Authority and for Competitive Classification in Case No. CA-2003-0242. Enclosed find a copy of my cover letter dated January 14, 2003 and a copy of the cover page of the Interconnection Agreement with the Commission's file stamp thereon showing it was filed on January 15, 2003. It is my understanding that the Interconnection Agreement is in the Commission's Data Center awaiting the filing of this application for insertion in this file.

Also enclosed is an additional copy of the cover page of this Application. Please place the file stamp thereon and return it in the self-addressed stamped envelope I have provided. Thank you for your assistance. Please contact me at (816) 753-1122 if there are any questions.

Very truly yours,  
FINNEGAN, CONRAD & PETERSON, L.C.

By:

  
Jeremiah D. Finnegan

JDF:crb

Enclosures

cc: General Counsel of the Commission  
Office of Public Counsel  
Steven D. Gough  
Southwestern Bell Telephone Legal Department

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

<b>Application of</b>	)	
	)	
<b>BBC Telephone, Inc.</b>	)	<b>Case No.</b>
	)	
<b>for Approval of an Interconnection</b>	)	
<b>Agreement Under the Tele-</b>	)	
<b>communications Act of 1996</b>	)	

**APPLICATION FOR APPROVAL OF INTERCONNECTION AGREEMENT**

COMES NOW BBC Telephone, Inc. (Applicant), by its undersigned counsel, and hereby files its Application for Approval of an Interconnection Agreement (Agreement) between Applicant and Southwestern Bell Telephone Company (SWBT) under the Telecommunications Act of 1996 (1996 Act). In support of this Application, Applicant states as follows:

**I. THE PARTIES**

Applicant is an Applicant for a certificate of service authority and for competitive classification in Case No. CA-2003-0242 filed January 15, 2003 as amended by its filing on February 4, 2003. Applicant's authority to transact business in Missouri from the Secretary of State's Office was filed with the Commission in Case No. CA-2002-0242, and that documentation is incorporated herein by reference pursuant to 4 CSR 240-2.060(1)(G). Applicant is a Kansas corporation with its principal place of business at 154 N. Emporia, Wichita, Kansas 67202. Applicant's officer's verification was not available at the time of this filing; it will be late-filed pursuant to 4 CSR 240-2.060(2) as soon as it is available. SWBT is an incumbent local exchange carrier authorized to provide basic local exchange telephone

service in Missouri; it maintains its principal offices in Missouri at One Bell Center, Suite 4210, St. Louis, Missouri 63101.

Applicant herein states, in accordance with 4 CSR 240-2.060(1)(K), that there are no pending actions or final unsatisfied judgments or decisions against Applicant in any state, federal agency, or court that involve customer service or rates for which action, judgment, or decision has occurred within three (3) years of the date of this Application. Pursuant to 4 CSR 240-2.060(1)(L), Applicant hereby states that the Company does not have any overdue annual reports or fees owed to the Missouri Public Service Commission.

## **II. INTERCONNECTION AGREEMENT REACHED**

Applicant presents to this Commission for approval an Interconnection Agreement entered into between SWBT and Applicant, executed pursuant to the terms of the 1996 Act. An original and 5 copies of the Agreement has previously been filed with the Commission on January 15, 2002. Pursuant to Section 252(i) of the 1996 Act, Applicant and SWBT entered into an Agreement based upon the terms of the Interconnection Agreement between AT&T Communications of the Southwest, Inc. (AT&T Agreement) which was previously approved by the Commission. The Agreement was executed by Applicant on January 10, 2003, and by SWBT on January 9, 2003. The Agreement is the first Interconnection Agreement between Applicant and SWBT in Missouri. Applicant and SWBT are operating in the State of Kansas under a similar Agreement.

## **II. REQUEST FOR APPROVAL**

Applicant seeks the Commission's approval of the Agreement, consistent with the provisions of the 1996 Act and Missouri law. The implication 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.

Applicant 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.

### **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**

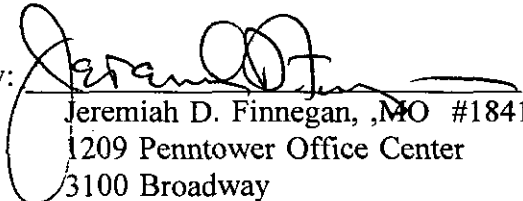
The executed Agreement is consistent with Missouri law.

**V. CONCLUSION**

WHEREFORE, so that Applicant may commence providing basic local service in Missouri at the earliest possible date, Applicant respectfully requests that the Commission approve the Interconnection Agreement as soon as possible.

Respectfully submitted,

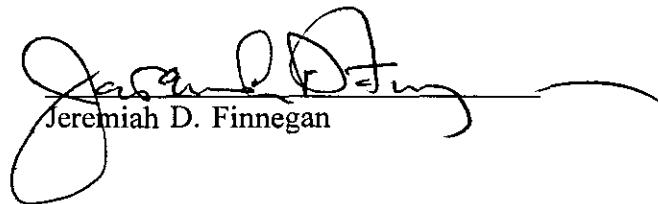
FINNEGAN, CONRAD & PETERSON, L.C.

By:   
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COUNSEL FOR BBC TELEPHONE, INC.

Dated: February 6, 2003

**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, the General Counsel's Office and to the Counsel for Southwestern Bell Telephone Company this 6th day of February, 2003.

  
Jeremiah D. Finnegan

**VERIFICATION**

**TO BE LATE FILED**