

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

OCT 26 2004

Missouri Public
Service Commission

In the Matter of the Application of)
ALLTEL Communications, Inc. for)
Approval of its Successor Cellular/PCS)
Interconnection Agreement and)
Accompanying Amendment with)
Southwestern Bell Telephone, L.P. d/b/a)
SBC Missouri, Under 47 U.S.C. § 252.)

Case No. _____

**APPLICATION OF ALLTEL COMMUNICATIONS, INC.
FOR APPROVAL OF SUCCESSOR INTERCONNECTION AGREEMENT
AND ACCOMPANYING AMENDMENT WITH
SOUTHWESTERN BELL TELEPHONE, L.P. D/B/A SBC MISSOURI**

COMES NOW ALLTEL Communications, Inc. ("ACI" or "Applicant") and hereby applies for approval by the Missouri Public Service Commission ("Commission") of the attached successor Cellular/PCS Interconnection Agreement and accompanying Amendment voluntarily entered into by ACI and Southwestern Bell Telephone, L.P. d/b/a SBC Missouri¹ ("SBC"), pursuant to the federal Telecommunications Act ("Act") under 47 U.S.C. § 252.

1. Applicant's legal name is ALLTEL Communications, Inc., and it is a wholly owned subsidiary of the ALLTEL Corporation system. As a telecommunications carrier authorized by the Federal Communications Commission, ACI provides commercial mobile radio service ("CMRS") to customers throughout various areas of the state of Missouri. ACI is duly incorporated and existing under the laws of the State of Delaware, with its

¹ On December 30, 2001, Southwestern Bell Telephone Company (a Missouri corporation) was merged with and into Southwestern Bell Texas, Inc. (a Texas corporation) and, pursuant to Texas law, was converted to Southwestern Bell Telephone, L.P., a Texas limited partnership. Southwestern Bell Telephone, L.P. is now doing business in Missouri as SBC Missouri.

principle place of business located at One Allied Drive, Little Rock, Arkansas 72202.

2. ACI is authorized to do business in the state of Missouri, and a Certificate of Corporate Good Standing – Foreign Corporation from the Missouri Secretary of State was attached to the Application filed in Commission Case No. TO-2002-355, and is incorporated herein by reference. All correspondence, communications, and orders and decisions of the Commission should be sent to:

Larry W. DORITY
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, Missouri 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383

And

S. Lynn Hughes
ALLTEL Communications, Inc.
One Allied Drive
Little Rock, AR 72203-2177
Telephone: (501) 905-
Facsimile: (501) 905-

3. SBC is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases are defined in Section 386.020, RSMo 2000. SBC's principal Missouri office is located at One Bell Center, 35th Floor, St. Louis, Missouri 63101.

4. ACI has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. ACI does not have any overdue

annual reports or fees owed to the Missouri Public Service Commission. In support of this Application, ACI states the following:

I. INTERCONNECTION AGREEMENT REACHED

On March 15, 2002, the Commission approved a Cellular/PCS Interconnection Agreement between the parties in Case No. TO-2002-355. A fully executed Amendment to that Agreement was subsequently filed with the Commission.

ACI now presents to this Commission for approval, a successor Cellular/PCS Interconnection Agreement and accompanying Amendment (Agreement) that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all of the complex issues involved in such an agreement, the parties executed the Agreement between ACI and SBC on July 28, 2004, and hereby file the Agreement, together with the appendices incorporated therein. There are no outstanding issues between ACI and SBC that need the assistance of mediation or arbitration.

II. REQUEST FOR APPROVAL

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

ACI 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 negotiation and compromise between ACI and SBC. As the Agreement includes seriatim

page numbers on the bottom of each page, the Commission need not 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 Act with provides:

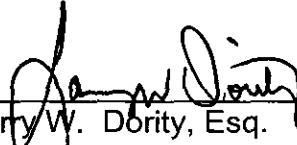
- (e) APPROVAL BY STATE COMMISSION
 - (1) APPROVAL REQUIRED. – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings 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 LEGISLATION

The negotiated and executed Agreement is consistent with Missouri Senate Bill 507, which became effective on August 28, 1996.

WHEREFORE, ALLTEL Communications, Inc. respectfully requests that the Commission enter an Order approving its successor Cellular/PCS Interconnection Agreement and accompanying Amendment thereto.

Respectfully submitted,



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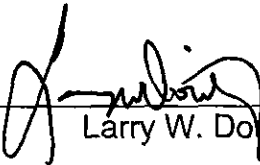
CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, First Class, postage prepaid, this 26th day of October, 2004, to:

Office of the Public Counsel
P.O. Box 360
Jefferson City MO 65102

Paul G. Lane
SBC Missouri
One Bell Center, Room 3518
St. Louis, MO 63101

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



Larry W. Dority

VERIFICATION

State of Arkansas)
)
County of Pulaski) ss.

I, Michael D. Rhoda, first being duly sworn upon oath, depose and say that I am an officer of ALLTEL Communications, Inc., a Delaware corporation; that I am authorized to and do make this verification for said corporation; and that the facts set forth in the above Application are true and correct to the best of my knowledge, information and belief.

Michael D. Rhoda

Dated: 10/21/04

Subscribed and sworn or affirmed before me this 21st day of October, 2004.

Sandra Jean Wood
Notary Public

My commission expires: September 1, 2008

