

**THE STATE CORPORATION COMMISSION
OF THE STATE OF MISSOURI**

Application for Approval of an Interconnection)	
Agreement between Brightspeed of Missouri, LLC;)	
Brightspeed of East Missouri, LLC and Barr Tell)	Docket No. _____
USA, LLC Pursuant to the Telecommunications Act)	
of 1996)	

APPLICATION FOR APPROVAL OF AN INTERCONNECTION AGREEMENT

COMES NOW, Brightspeed of Missouri, LLC; Brightspeed of East Missouri, LLC (“Brightspeed”) and files this Application for Approval of an Interconnection Agreement (“Agreement”) between Brightspeed and Barr Tell USA, LLC (“Barr Tell”) pursuant to the Telecommunications Act of 1996 (the “Federal Act”). In support of its Application, Brightspeed states the following:

I. APPLICANT

Brightspeed is a Missouri corporation with offices at 1120 South Tryon Street, Suite 700, Charlotte, NC 28203. Brightspeed 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.

To Brightspeed’s knowledge, there are no overdue assessments or annual reports or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

II. INTERCONNECTION AGREEMENT

Brightspeed presents to the Commission the attached Agreement for approval pursuant to the terms of the Federal Act. The implementation of the 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 diversity in providers and increases customer choice for telecommunications services.

III. STANDARD OF REVIEW

The statutory standard of review under Section 252(e) of the Federal 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 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. REQUEST FOR APPROVAL

Brightspeed seeks the Commission's approval of the Agreement, consistent with the provisions of the Act. The Agreement is bilateral, reached as a result of negotiation and compromise between the parties. There are no outstanding issues involving the limited subject matter of the Agreement that require the assistance of mediation or arbitration. Brightspeed and Barr Tell do not believe a docket or intervention by other parties is necessary or appropriate.

Brightspeed requests that the Commission grant expeditious approval of the Agreement, without change, suspension, or other delay in its implementation.

V. CONTACT INFORMATION

In addition to undersigned counsel, all communications regarding this Application should be addressed to the following representatives:

Brightspeed:

Legal Department / Regulatory Notices
P.O. Box 1330
Fayetteville, NC 28302-1330
Phone: 833-692-7773
carrieragreements@brightspeed.com

Barr Tell:

Harold Barr
President
218 East Park Ave., Suite 522
Long Beach, NY 11561-3521
Phone: 516-708-0111
Email: hb@bartell.com

Harold Barr
President
452 Broadway
Brooklyn, NY 11211-7438
Phone: 212-226-4420 x 108
Email: hb@bartell.com

VI. CONCLUSION

WHEREFORE, for the reasons set forth above, Brightspeed respectfully requests that the Commission enter an Order approving this Interconnection Agreement between Brightspeed and Barr Tell.

Respectfully,

/s/ Tim Opitz

Tim Opitz, Mo. Bar No. 65082
Opitz Law Firm, LLC
308 E. High Street, Suite B101
Jefferson City, MO 65101
(573) 825-1796
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REQUEST FOR WAIVER

By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, Commissioner Advisor, Regulatory Law Judge, or any member of their support team in the one hundred fifty (150) days prior to the filing date of this application regarding any substantive issue included in this filing.

Respectfully submitted,

/s/ Tim Opitz

Tim Opitz, Mo. Bar No. 65082
Opitz Law Firm, LLC
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(572) 825-1796
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 29th day of March 2024, a copy of the above and foregoing Application of Brightspeed and Barr Tell for Approval of an Interconnection Agreement was served via email and/or U.S. Mail, postage prepaid, to each of the following:

Office of the Public Counsel

Missouri Public Service Commission
200 Madison Street
Jefferson City, MO 65101
opcservice@ded.mo.gov

Office of the General Counsel

Missouri Public Service Commission
200 Madison Street
Jefferson City, MO 65101
staffcounsel@psc.mo.gov

Brightspeed:

Legal Department / Regulatory Notices
P.O. Box 1330
Fayetteville, NC 28302-1330
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Barr Tell:

Harold Barr
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218 East Park Ave., Suite 522
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/s/ Tim Opitz