

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application for Approval)
of an Interconnection Agreement between)
Brightspeed of Missouri, LLC; Brightspeed of) **File No. IK-2024-0269**
East Missouri, LLC and Barr Tell USA, LLC)
Pursuant to the Telecommunications Act of)
1996)

ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND ADDING A PARTY

Issue Date: April 10, 2024

Effective Date: April 10, 2024

This order provides notice of this application to interested parties, establishes a deadline for intervention and for requesting a hearing, and joins the other party to the Interconnection Agreement, Barr Tell USA, LLC (Barr Tell), as a party to this proceeding.

On March 29, 2024, Brightspeed of Missouri, LLC and Brightspeed of East Missouri, LLC (together referred to as “Brightspeed”) filed an application with the Commission for approval of a negotiated Interconnection Agreement (Agreement) with Barr Tell under the provisions of the Federal Telecommunications Act of 1996 (the Act). Brightspeed stated that there are no unresolved issues and that the Agreement complies with Section 252(e) of the Act in that it is consistent with the public interest, convenient and necessary, and is not discriminatory to nonparty carriers.

Brightspeed has also requested a waiver of the 60-day notice requirement for good cause shown,¹ having had no communication with the Commission within the prior 150

¹ 20 CSR 4240-4.017(1)(D).

days regarding substantive issues likely to be in this case, other than those pleadings filed of record.

Although Barr Tell is a party to the Agreement, it did not join in the application. Because Barr Tell is a necessary party to a full and fair adjudication of this matter, the Commission will add Barr Tell as a party to this case.

The Act provides that the Agreement must be approved unless the state commission finds that the Agreement discriminates against a telecommunications carrier not a party to the Agreement, or that implementation of the Agreement is not consistent with the public interest, convenience, and necessity.² Section 252(e)(4) of the Act provides that if the Commission has not acted to approve or reject an Agreement within 90 days after submission, the Agreement shall be deemed approved. That date is June 27, 2024.

The Commission finds that proper persons shall be allowed 15 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application shall be sent to all interexchange and local exchange telecommunications companies. The Staff of the Commission (Staff) will be directed to provide recommendation.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send a copy of this order to all interexchange and local exchange telecommunications companies.
2. Barr Tell is made a party to this case.

² 47 U.S.C. § 252(e).

3. Any party wishing to intervene or request a hearing shall do so by filing a pleading no later than April 25, 2024.

4. Staff shall file a recommendation advising either approval or rejection of this Agreement and giving the reasons therefor, or a status report regarding when Staff anticipates filing its recommendation, no later than May 14, 2024.

5. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

Nancy Dippell, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

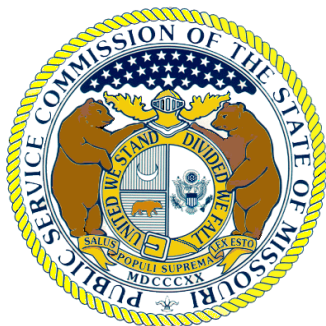
Dated at Jefferson City, Missouri,
on this 10th day of April, 2024.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 10th day of April 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 10, 2024

File/Case No. IK-2024-0269

MO PSC Staff

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Distributed to all Interexchange and Local Exchange Telecommunications Companies.

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.