

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

Application for Approval of an)
Interconnection Agreement between)
Fidelity Telephone Company and) Case No. _____
Teleport Communications America, LLC)

**APPLICATION FOR APPROVAL OF INTERCONNECTION AGREEMENT
AND REQUEST FOR WAIVER OF 20 CSR 4240-4.017**

Comes now Fidelity Telephone Company (hereinafter "Company"), pursuant to 47 U.S.C. 252 and 20 CSR 4240-28.013(2)(A), and hereby requests that the Commission approve an Interconnection Agreement ("Agreement") between Company and Teleport Communications America, LLC ("TCA"). In support of this Application, Company states as follows:

1. Company is a Missouri corporation and an incumbent local exchange telecommunications company (ILEC), properly certificated and authorized to do business in Missouri. The names and addresses of its principal contacts for this case are as follows:

W.R. England, III
Brian T. McCartney
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
(573) 635-7166 voice
(573) 634-7431 fax
trip@brydonlaw.com
bmccartney@brydonlaw.com

2. The implementation of this Agreement complies with Section 252(e) of the Act in that the Agreement is consistent with the public interest, convenience and necessity, and does not discriminate against any telecommunications carrier.

3. Company has no pending actions or final, unsatisfied adverse judgments or decisions which involve customer service or rates that have occurred within the last three years from the date of this Application.

4. Company has no annual report or assessment fees that are overdue.

REQUEST FOR WAIVER

5. Rule 20 CSR 4240-4.017(1) provides that “(a)ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case.” A notice was not filed 60 days prior to the filing of this Application, and Applicant seeks a waiver of the 60-day notice requirement.

6. Rule 20 CSR 4240-4.017(1) provides that a waiver may be granted for good cause. Good cause exists in this case. Company declares (as verified below) that it has had no communication with the office of the Commission (as defined by Commission Rule 20 CSR 4240-4.015(10) within the prior 150 days regarding any substantive issue likely to be in this case, other than those pleadings filed of record. Accordingly, for good cause shown, Company moves for a waiver of the 60-day notice requirement of Rule 20 CSR 4240-4.017(1) and acceptance of this Application.

WHEREFORE, Company respectfully requests that the Commission enter an Order approving this Agreement.

Respectfully submitted,

/s/ W.R. England, III
W.R. England, III Mo. Bar #23975
Brian T. McCartney Mo. Bar #47788
Brydon, Swearngen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
(573) 635-7166
(573) 634-7431 FAX
trip@brydonlaw.com
bmccartney@brydonlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail this 20th day of July, 2021, to counsel of record.

Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
opc@ded.mol.gov

/s/ W.R. England, III

AFFIDAVIT

COUNTY OF Franklin)
STATE OF Missouri) ss.

I, John Walburn, a natural person, do hereby swear and affirm that I am an officer of Fidelity Telephone Company, the Applicant in the above Application ("Applicant"), and that the information and statements contained in this Application are true and correct to the best of my knowledge and belief.

By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, a member of the Commission's Advisory Staff, or the Commission's Regulatory Law Judges in the 150 days prior to the filing date of this application regarding any substantive issue included in this filing.

John Walburn
John Walburn

Sworn and subscribed to before me this 19 day of July, 2021.

Nicole Cotner
Notary Public

