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

| In the Matter of the Application of       | ) |                       |
|---|---|-----------------------|
| Windstream Missouri, Inc. for Approval of | ) | File No. IK-2010-0057 |
| New Interconnection Agreement with TCG    | ) |                       |
| Kansas City, Inc. under 47 U.S.C. § 252   | ) |                       |

## ORDER DIRECTING NOTICE AND MAKING TCG KANSAS CITY, INC. A PARTY

Issue Date: August 21, 2009 Effective Date: August 21, 2009

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, TCG Kansas City, Inc., as a party to this proceeding.

On August 18, 2009, Windstream Missouri, Inc. filed an application with the Commission for approval of an interconnection agreement with TCG under the provisions of the federal Telecommunications Act of 1996. Windstream states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest.

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

The Act provides that an interconnection or resale 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. Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously. The Commission finds that proper persons shall be allowed 20 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 COMMISSION ORDERS THAT:

- The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
  - 2. TCG Kansas City, Inc. is made a party to this case.
- 3. Any party wishing to request a hearing shall do so by filing a pleading no later than September 10, 2009, with:

Steven C. Reed, Secretary Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102

and send copies to:

Larry W. Dority Fischer & Dority, P.C. 101 Madison, Suite 400 Jefferson City, Missouri 65101

TCG Attn: Douglas Trabaris 225 W. Randolph Street, RM 25D Chicago, Illinois 60606

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<sup>&</sup>lt;sup>1</sup> 47 U.S.C. § 252(e).

and:

Office of the Public Counsel Post Office Box 2230 Jefferson City, Missouri 65102

- 4. The Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than September 21, 2009.
  - 5. This order shall become effective on August 21, 2009.

## BY THE COMMISSION

Steven C. Reed Secretary

(SEAL)

Nancy Dippell, Deputy Chief Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 21st day of August, 2009.