

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of )  
Windstream Missouri, Inc. for Approval )  
Of Commercial Mobile Radio Services )  
Interconnection Agreement with United )  
States Cellular Corporation )  
Under 47 U.S.C. § 252 )

**Case No. IK-2009-0273**

## **ORDER DIRECTING NOTICE AND MAKING** **UNITED STATES CELLULAR CORPORATION A PARTY**

Issue Date: January 29, 2009

Effective Date: January 29, 2009

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, United States Cellular Corporation, as a party to this proceeding.

On January 22, 2009, Windstream Missouri, Inc. filed an application with the Commission for approval of an interconnection agreement with USCC 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. Windstream requests expeditious approval of the agreement.

Although USCC is a party to the agreement, it did not join in the application. Because USCC 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.<sup>1</sup> 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:**

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. United States Cellular Corporation 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 February 18, 2009, with:

Colleen M. Dale, 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

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<sup>1</sup> 47 U.S.C. § 252(e).

Lisa Muir  
United States Cellular Corporation  
8410 Bryn Mawr  
Chicago, IL 60631

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 March 2, 2009.

5. This order shall become effective on January 29, 2009.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Colleen M. Dale, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 29th day of January, 2009.