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

In the Matter of the Application of	)	
Fidelity Telephone Company for Approval	)	File No. IK-2019-0113
of an Interconnection Agreement	)	

# ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND MAKING CHARTER FIBERLINK-MISSOURI, LLC A PARTY

Issue Date: November 2, 2018 Effective Date: November 2, 2018

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, Charter Fiberlink-Missouri, LLC ("Charter"), as a party to this proceeding.

On October 29, 2018, Fidelity Telephone Company filed an application with the Commission for approval of a negotiated interconnection agreement with Charter under the provisions of the Federal Telecommunications Act of 1996. Fidelity Telephone Company states 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.

Although Charter is a party to the agreement, it did not join in the application. Because Charter is a necessary party to a full and fair adjudication of this matter, the Commission will add Charter 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. 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 COMMISSION ORDERS THAT:

- 1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
  - 2. Charter Fiberlink-Missouri, LLC is made a party to this case.
- 3. Any party wishing to intervene or request a hearing shall do so by filing a pleading no later than November 17, 2018, with:

Morris L. Woodruff, Secretary Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102

Or by using the Commission's electronic filing and information system (EFIS).

4. The Staff of the Commission shall file a recommendation advising either approval or rejection of this agreement and giving the reasons therefor no later than December 2, 2018.

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

5. This order shall be effective when issued.

#### BY THE COMMISSION



Morris L. Woodruff Secretary

Charles Hatcher, Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri, on this 2<sup>nd</sup> day of November, 2018.

#### 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 2<sup>nd</sup> day of November 2018.

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Morris L. Woodruff

**Secretary** 

## MISSOURI PUBLIC SERVICE COMMISSION November 2, 2018

#### File/Case No. IK-2019-0113

### Missouri Public Service Commission

Staff Counsel Department 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 staffcounselservice@psc.mo.gov

#### Office of the Public Counsel

Marc Poston 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 opcservice@ded.mo.gov

### Charter Fiberlink - Missouri, LLC

Legal Department 12405 Powerscourt Drive St. Louis, MO 63131 cfl.regulatory@chartercom.com

#### **Fidelity Telephone Company**

W R England 312 East Capitol Avenue P.O. Box 456 Jefferson City, MO 65102 trip@brydonlaw.com

#### **Fidelity Telephone Company**

Brian T McCartney 312 East Capitol Avenue P.O. Box 456 Jefferson City, MO 65102 bmccartney@brydonlaw.com

## Missouri Public Service Commission

Travis Pringle 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 Travis.Pringle@psc.mo.gov

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

Sincerely,

Morris L. Woodruff 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.