

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Miller Telephone)
Company for Approval of an Interconnection and)
Reciprocal Compensation Agreement Under the)
Telecommunications Act of 1996)

File No. IK-2009-0387

ORDER DIRECTING NOTICE AND MAKING **NEXTEL WEST CORP. A PARTY**

Issue Date: May 5, 2009

Effective Date: May 5, 2009

This order provides notice of this application to interested parties and joins the other party to the interconnection and reciprocal compensation agreement, Nextel West Corp., as a party to this proceeding.

On April 27, 2009, Miller Telephone Company filed an application with the Commission for approval of an interconnection and reciprocal compensation agreement with Nextel under the provisions of the federal Telecommunications Act of 1996. Miller 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. Miller requests expeditious approval of the agreement.

Although Nextel is a party to the agreement, it did not join in the application. Because Nextel 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.¹ 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. Nextel West Corp. 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 May 26, 2009, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Brian T. McCartney
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue, P.O. Box 456
Jefferson City, Missouri 65102

Kenneth A. Schiffman
6450 Sprint Parkway
Overland Park, Kansas 66251

¹ 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 June 5, 2009.

5. This order shall become effective on May 5, 2009.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(S E A L)

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 5th day of May, 2009.