

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
March 20, 2001**

**CASE NO: TO-2001489**

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

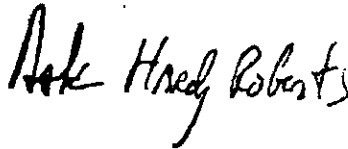
**Paul G. Lane**  
Southwestern Bell Telephone Company  
One Bell Center Room 3520  
St Louis, MO 63101

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Charles Brent Stewart**  
Stewart & Keevil, L.L.C.  
1001 Cherry Street, Suite 302  
Columbia, MO 65201

**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

**Uncertified Copies:**

**To all interexchange and local exchange telecommunications companies**

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

In the Matter of the Application of	)	
VoiceStream Wireless Corporation for	)	
Approval of its Interconnection Agreement	)	<u>Case No. TO-2001-489</u>
with Southwestern Bell Telephone Company	)	
Pursuant to Section 252(e) of the	)	
Telecommunications Act of 1996	)	

**ORDER DIRECTING NOTICE**  
**AND MAKING SOUTHWESTERN BELL TELEPHONE COMPANY A PARTY**

On March 15, 2001, VoiceStream Wireless Corporation (VoiceStream) filed an application with the Missouri Public Service Commission (Commission) for approval of an interconnection agreement with Southwestern Bell Telephone Company (SWBT) under the provisions of the federal Telecommunications Act of 1996 (the Act). VoiceStream 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 SWBT is a party to the agreement, it did not join in the application. Because SWBT is a necessary party to a full and fair adjudication of this matter, the Commission will add SWBT 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. 47 U.S.C. 252(e).

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

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 and, if there are no requests for a hearing, relief may be granted based on the petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

**IT IS THEREFORE ORDERED:**

1. That the Records Department of the Missouri Public Service Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That Southwestern Bell Telephone Company is made a party to this case.

3. That any party wishing to request a hearing shall do so by filing a pleading no later than April 9, 2001, with:

Dale Hardy Roberts, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102-0360

and send copies to:

Charles Brent Stewart  
Stewart & Keevil, L.L.C.  
1001 Cherry Street, Suite 302  
Columbia, Missouri 65201

Legal Department  
Southwestern Bell Telephone Company  
One Bell Center  
St. Louis, Missouri 63101

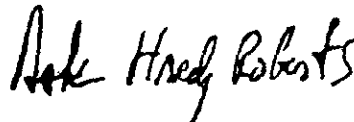
and:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, Missouri 65102-7800

4. That the Staff of the Missouri Public Service Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than April 19, 2001.

5. That this order shall become effective on March 30, 2001.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Bill Hopkins, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 20th day of March, 2001.

**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 20<sup>th</sup> day of March 2001.



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**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

