BEFORE THE PUBLIC SERVICE COMMISSION

HW

OF THE STATE OF MISSOURI

In Re: the Master Interconnection and)
Resale Agreement of Sprint Missouri, Inc.)

d/b/a Sprint and Dakota Services Limited.)

ORDER DIRECTING NOTICE

On August 9, 1999, Sprint Missouri, Inc. (Sprint) and Dakota Services Limited (Dakota) filed a joint application with the Commission for approval of a Master Interconnection and Resale Agreement, executed pursuant to the Federal Telecommunications Act of 1996 (the Act). Sprint and Dakota state 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 non-party carriers and is consistent with the public interest.

The Act provides that an interconnection 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 or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this agreement meets the federal standards for approval of interconnection agreements. 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 verified 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 Commission shall send notice to all interexchange and local exchange telecommunications companies.
- 2. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than September 1, 1999 with:

Secretary of the Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102

and send copies to:

Linda K. Gardner Attorney for Sprint Missouri, Inc. 5454 W. 110th Street Overland Park, Kansas 66211 Lisa Creighton
Sonnenschein, Nath & Rosenthal
Attorney for Dakota Services Limited
4520 Main Street
Suite 1100
Kansas City, Missouri 64111

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

- 3. That 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 October 18, 1999.
 - 4. That this order shall become effective on August 23, 1999.

BY THE COMMISSION

Hole Holy Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

Morris L. Woodruff, Regulatory Law Judge by delegation of Authority pursuant to 4 CSR 240-2.120(1), (November 30, 1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 11th day of August, 1999.

DECENTED.

AUG 1 2 1999

COMMISSION COUNSELL PUBLIC SERVICE COMMISSION