

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
February 1, 2001**

**CASE NO: TO-2001-400**

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

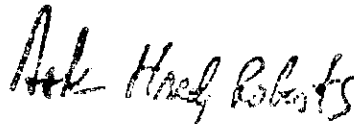
**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**James Fischer**  
Fischer & Dority  
101 Madison Street, Suite 101  
Jefferson City, MO 65101

**Paul S. DeFord**  
Lathrop & Gage  
2345 Grand Boulevard, Suite 2800  
Kansas City, MO 64108

**Enclosed find certified copy of an ORDER & NOTICE 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 Joint Application of       )  
AT&T Wireless Services, Inc., and ALLTEL       )  
Communications Services Corporation for       )  
Approval of Interconnection Agreement Under       )  
the Telecommunications Act of 1996.               )  
Case No. TO-2001-400

**ORDER AND NOTICE**

On January 23, 2001, AT&T Wireless Services, Inc., and ALLTEL Communications Services Corporation (Applicants) filed an application with the Commission for approval of an interconnection agreement under the provisions of the federal Telecommunications Act of 1996 (the Act). Applicants 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 nonparty carriers and is consistent with the public interest. Applicants request expeditious approval of the agreement.

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. 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 application. 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 in this matter shall do so by filing a pleading no later than February 21, 2001, with:

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

and send copies to:

Paul S. DeFord  
Lathrop & Gage, LC  
2345 Grand Boulevard, Suite 2800  
Kansas City, Missouri 64108  
Attorney for AT&T Wireless Services, Inc.

Larry W. Dority  
Fischer & Dority, P.C.  
101 Madison Street, Suite 400  
Jefferson City, Missouri 65101  
Attorney for ALLTEL Communications  
Services Corporation

and:

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 March 5, 2001.

4. That this order shall become effective on February 11, 2001.

**BY THE COMMISSION**



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

( S E A L )

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

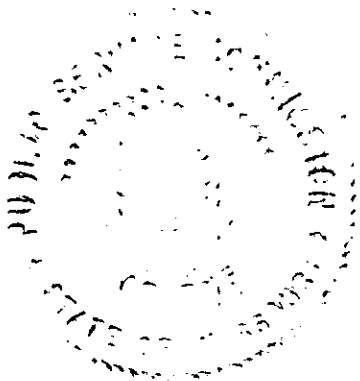
Dated at Jefferson City, Missouri,  
on this 1st day of February, 2001.

**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 1<sup>st</sup> day of February 2001.



A handwritten signature in dark ink, reading "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

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