

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

In the Matter of the Application of	)	
Windstream Missouri, Inc. for Approval	)	
Of an Interconnection Agreement With	)	
New Cingular Wireless PCS, LLC d/b/a	)	Case No.
AT&T Mobility	)	

**APPLICATION OF WINDSTREAM MISSOURI, INC.  
FOR APPROVAL OF AN INTERCONNECTION AGREEMENT  
WITH NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T MOBILITY**

**COMES NOW** Windstream Missouri, Inc. ("Windstream" or "Applicant"), pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-3.513(1), and hereby applies for approval by the Commission of the accompanying Interconnection Agreement ("Agreement") voluntarily entered into by Applicant and New Cingular Wireless PCS, LLC d/b/a AT&T Mobility ("AT&T Mobility") pursuant to the Federal Telecommunications Act of 1996 (the "Act") under 47 U.S.C. § 252(e).

1. Windstream Missouri, Inc. is a Missouri corporation duly authorized to conduct business in Missouri, as evidenced by the Certificate of Amendment filed on June 21, 2006 in Case No. IN-2006-0481, and incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). Windstream's principal office is located at 4001 Rodney Parham Road, Little Rock, Arkansas 72212. Windstream is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases is defined in Section 386.020, RSMo 2000.

2. AT&T Mobility holds authority from the Federal Communications Commission to operate as a commercial mobile radio service carrier to provide authorized services in Missouri, and provides or will provide commercial mobile radio services employing such authorization licensed frequencies.

3. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to:

Ed Cadieux  
WINDSTREAM COMMUNICATIONS, INC.  
1390 Timberlake Manor Parkway, Suite 200  
Chesterfield, Missouri 63017  
Telephone: (636) 537-5743  
Facsimile: (330) 486-3690

4. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

In support of this Application, Applicant states the following:

**I. AGREEMENT REACHED**

Applicant presents to this Commission for approval the attached Agreement Between Windstream Missouri, Inc. and New Cingular Wireless PCS, LLC d/b/a AT&T Mobility that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all of the complex issues involved in such an agreement, the parties signed the Agreement December 18, 2013, and hereby file the Agreement with all pages sequentially numbered. There are no outstanding issues between the parties to the Agreement that need the assistance of mediation or arbitration.

## **II. REQUEST FOR APPROVAL**

Applicant seeks the Commission's approval of the Agreement, consistent with the provisions of the Act. Applicant believes that the implementation of this Agreement complies fully with Section 252(e) of the Act because the Agreement is consistent with the public interest, convenience and necessity, and does not discriminate against any telecommunications carrier. The Agreement promotes interconnectivity and diversity in providers, and will increase customer choices for telecommunications services.

Applicant respectfully requests that the Commission grant approval of this Agreement, without change, suspension or other delay in its implementation. This is an Agreement, reached as a result of negotiation and compromise between the Applicant and AT&T Mobility.

## **III. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Act, which provides:

### **(e) APPROVAL BY STATE COMMISSION**

- (1) APPROVAL REQUIRED.** – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION.** – The State Commission may only reject –
  - (A)** an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that –
    - (i)** the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
    - (ii)** the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . . .

**WHEREFORE**, Windstream Missouri, Inc. respectfully requests the Commission to enter an Order approving the attached agreement Between Windstream Missouri, Inc. and New Cingular Wireless PCS, LLC d/b/a AT&T Mobility.

Respectfully submitted,



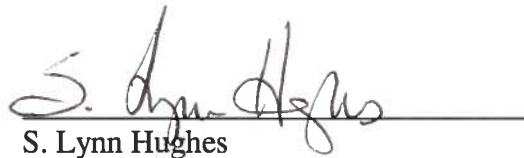
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Telephone: (636) 537-5743  
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Email: [edward.cadieux@windstream.com](mailto:edward.cadieux@windstream.com)


**VERIFICATION**

STATE OF ARKANSAS                    )  
  ) SS  
COUNTY OF PULASKI                )

I, S. Lynn Hughes, Director - Interconnection for Windstream Missouri, Inc., hereby verify and affirm that I have read the foregoing Application, and that the statements contained therein are true and correct to the best of my information and belief.

  
S. Lynn Hughes

Subscribed and sworn to before me on this 16 day of January, 2014.

  
Notary Public

My Appointment Expires:

January 3, 2017



**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 24<sup>th</sup> day of January, 2014 to:

Office of the Public Counsel  
200 Madison Street  
Jefferson City, MO 65101

Kevin Thompson, Chief Staff Counsel  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65101

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