BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In Re: The Paging Facilities Agreement By and)		
Between St. Louis Paging Network d/b/a)		
Dial-A-Page and Southwestern Bell Telephone,)	Case No.	
L.P., d/b/a AT&T Missouri Pursuant to Sections)		
251 and 252 of the Telecommunications Act)		
of 1996.)		

AT&T MISSOURI'S APPLICATION FOR APPROVAL OF A PAGING FACILITIES INTERCONNECTION AGREEMENT

AT&T Missouri, 1 pursuant to Section 252(e) of the Telecommunications Act of 1996 (the "Act") and 4 CSR 240-3.513(1), respectfully submits its Application for Approval of a Paging Facilities Interconnection Agreement by and between AT&T Missouri and St. Louis Paging Network d/b/a Dial-A-Page and requests the Missouri Public Service Commission ("Commission") approve this Agreement. Although the Commission has reviewed and approved similar agreements AT&T Missouri has entered into with other paging companies, AT&T Missouri does not believe the Commission has previously approved this specific agreement.

In support of this Application, AT&T Missouri states:

1. AT&T Missouri is a Texas limited partnership² duly authorized to conduct business in Missouri,³ with its principal Missouri office at One AT&T Center, Room 3520, St. Louis, Missouri 63101. AT&T Missouri is authorized to do business in Missouri and its

² In accordance with 4 CSR 240-2.060(1)(G), a copy of the Southwestern Bell Telephone, L.P. partnership agreement was filed with the Commission on October 15, 2003. <u>See, In the Matter of the Application of Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, for Review and Reversal of North American Number Plan Administrator's Decision to Withhold Numbering Resources, Case No. TO-2004-0170.</u>

¹ Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri will be referred to in this pleading as "AT&T Missouri."

³ In accordance with 4 CSR 240-2.060(1)(G), a copy of the certificate from the Missouri Secretary of State certifying that Southwestern Bell Telephone, L.P. is a foreign limited partnership duly authorized to transact business in the State of Missouri was filed with the Commission on January 7, 2002. See, In the Matter of the Application of Southwestern Bell Telephone Company to Transfer Property and Ownership of Stock Pursuant to Section 392.300, RSMo., Case No. TO-2002-185.

fictitious name is duly registered with the Missouri Secretary of State.⁴ AT&T Missouri 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. 2000.⁵

2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Timothy P. Leahy
Leo J. Bub
Robert J. Gryzmala
Attorneys for Southwestern Bell Telephone, L.P.,
d/b/a AT&T Missouri
One AT&T Center, Suite 3518
St. Louis, Missouri 63101

- 3. AT&T Missouri does not have any 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 this Application.
- 4. AT&T Missouri does not have any annual report or assessment fees that are overdue.
- 5. AT&T Missouri seeks approval of this Paging Facilities Interconnection

 Agreement pursuant to Section 252(e)(1) of the Telecommunications Act of 1996 ("the Act").

 The Commission must approve the agreement unless it determines that it (or any portion

⁴ In accordance with 4 CSR 240-2.060(1)(G), a copy of the registration of the fictitious name "AT&T Missouri" was filed with the Commission on December 2, 2005. <u>See</u>, <u>In the Matter of the Application of Southwestern Bell Telephone</u>, L.P., <u>d/b/a AT&T Missouri for Review and Reversal of the North American Number Plan Administrator's Decision to Withhold Numbering Resources</u>, Case No. TO-2006-0247.

⁵ By its Order Recognizing Name Change, Approving Tariff and Closing Case, in Case No. IN-2006-0232 (effective December 29, 2005), the Commission ordered that the fictitious name "AT&T Missouri" be recognized. Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri previously conducted business as Southwestern Bell Telephone, L.P., d/b/a SBC Missouri.

thereof): (1) discriminates against a telecommunications carrier not a party to the agreement and/or amendment; or (2) the implementation of such agreement and/or amendment is not consistent with the public interest, convenience, and necessity.⁶

6. AT&T Missouri states that the Paging Facilities Interconnection Agreement does not discriminate against a telecommunications carrier not a party to the Paging Facilities

Interconnection Agreement. AT&T Missouri further states that the implementation of the Paging Facilities Interconnection Agreement is consistent with the public interest, convenience, and necessity.

WHEREFORE, AT&T Missouri respectfully requests that the Commission approve the Paging Facilities Interconnection Agreement between AT&T Missouri and St. Louis Paging Network d/b/a Dial-A-Page.

SOUTHWESTERN BELL TELEPHONE, L.P., D/B/A AT&T MISSOURI

TIMOTHY DIEAHY

TIMOTHY P. LEAHY #36197 LEO J. BUB #34326 ROBERT J. GRYZMALA #32454

Attorneys for AT&T Missouri One AT&T Center, Room 3518

St. Louis, Missouri 63101

314-235-2508 (Telephone)/314-247-0014(Facsimile)

leo.bub@att.com

3

⁶ See Section 242(e)(2) of the Act.

COUNTY OF COLE)	
)	SS
STATE OF MISSOURI)	

VERIFICATION

I, Timothy M. Judge, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and Director-Regulatory of Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri ("AT&T Missouri"). I am authorized to act on behalf of AT&T Missouri regarding the foregoing document. I have read the foregoing document and I am informed and believe that the matters contained therein are true and correct to the best of my knowledge, information and belief.

Timothy M Judge

On this 19th day of March 2007, before me, a Notary Public, personally appeared Timothy M. Judge, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and Director-Regulatory of AT&T Missouri, he signed the foregoing document as Director-Regulatory of AT&T Missouri and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.

Notary Public

My Commission Expires: June 28, 2008

TAMMY R. MORRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
My Commission Expires: June 28, 2008

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on March 19, 2007.

Leo I Rub

General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
general.counsel@psc.mo.gov

Gary Brake
St. Louis Paging Network d/b/a Dial-A-Page
1210 W. Vandeventer
St. Louis, MO 63110
geb@bc.npspaging.com

Public Counsel Office of the Public Counsel PO Box 2230 Jefferson City, MO 65102 opcservice@ded.mo.gov