

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Missouri RSA No. 5 Partnership)
d/b/a Chariton Valley Wireless for Approval of a)
Direct Interconnection Agreement and for a)
Related Indirect Transiting Traffic Services)
Agreement with Southwestern Bell Telephone)
Company, L.P. d/b/a SBC Missouri Pursuant to)
the Telecommunications Act of 1996.)

Case No. TK-2005-0447

ORDER DIRECTING NOTICE AND MAKING
SBC MISSOURI A PARTY

Issue Date: June 1, 2005

Effective Date: June 1, 2005

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Southwestern Bell Telephone, L.P. d/b/a SBC Missouri, as a party to this proceeding.

On May 27, 2005, Missouri RSA No. 5 Partnership d/b/a Chariton Valley Wireless filed an application with the Commission for approval of its Interconnection Agreement with Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, under the provision of the federal Telecommunications Act of 1996. Chariton states 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 SBC Missouri is a party to the agreement, it did not join in the application. Because SBC Missouri is a necessary party to a full and fair adjudication of this matter, the Commission will add SBC Missouri as a party to this case.

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.¹ 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 the case expeditiously. The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

IT IS THEREFORE ORDERED:

1. That the Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. That Southwestern Bell Telephone, L.P. d/b/a SBC Missouri, 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 June 13, 2005, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

¹ 47 U.S.C. §252(e).

and send copies to:

Craig S. Johnson/Bryan D. Lade
Andereck, Evans, Milne, Peace & Johnson, LLC
700 East Capital Avenue
Post Office Box 1438
Jefferson City, Missouri 65102

Leo J. Bub
Southwestern Bell Telephone, L.P.
d/b/a SBC Missouri
One SBC Center, Room 3518
St. Louis, Missouri 63101

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. 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 June 23, 2005.

5. That this order shall become effective on June 1, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of June, 2005.