

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Request for Approval of an)
Interconnection Agreement between Chariton Valley)
Telecom Corporation and Missouri RSA No. 5) **Case No. TK-2005-0485**
Partnership, d/b/a Chariton Valley Wireless, Pursuant)
to Section 252(e) of the Telecommunications Act of)
1996.)

ORDER DIRECTING NOTICE

Issue Date: June 14, 2005

Effective Date: June 14, 2005

On June 13, 2005, Chariton Valley Telephone Corporation and Missouri RSA No. 5 Partnership d/b/a Chariton Valley Wireless filed an application with the Missouri Public Service Commission for approval of an interconnection agreement, under the provisions of the federal Telecommunications Act of 1996. The parties 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. The parties request expeditious approval of the agreement.

The Act provides that an interconnection or resale 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.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 this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the 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 Data Center of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That any party wishing to request a hearing shall do so by filing a pleading no later than July 5, 2005, with:

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

and send copies to:

Craig S. Johnson
The Col. Darwin Marmaduke House
700 East Capital
Post Office Box 1438
Jefferson City, Missouri 65102

¹ *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

and:

Office of the Public Counsel
Post Office Box 2230
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 July 14, 2005.

4. That this order shall become effective on June 14, 2005.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is written over a horizontal line.

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 14th day of June, 2005.