

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Fidelity Telephone Company	)	
for Approval of an Interconnection and	)	<u>Case No. TK-2007-0047</u>
Reciprocal Compensation Agreement under	)	
the Telecommunications Act of 1996	)	

ORDER DIRECTING NOTICE AND MAKING
NEXTEL WEST CORP. A PARTY

Issue Date: August 9, 2006

Effective Date: August 9, 2006

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Nextel West Corp., as a party to this proceeding.

On August 7, 2006, Fidelity Telephone Company filed an application with the Commission for approval of an interconnection agreement with Nextel under the provisions of the federal Telecommunications Act of 1996. Fidelity states 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. Fidelity requests expeditious approval of the agreement.

Although Nextel is a party to the agreement, it did not join in the application. Because Nextel is a necessary party to a full and fair adjudication of this matter, the Commission will add it as a party to this case.

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.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. The Commission finds that proper persons shall 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 shall be sent to all interexchange and local exchange telecommunications companies.

IT IS ORDERED THAT:

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. Nextel West Corp. is made a party to this case.
3. Any party wishing to request a hearing shall do so by filing a pleading no later than August 29, 2006, with:

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

and send copies to:

W.R. England, III, Esq.
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102-0456

¹ 47 U.S.C. § 252(e).

Paul DeFord, Esq.
Lathrop & Gage L.C.
2345 Grand Boulevard, Suite 2800
Kansas City, Missouri 64108-2612

and:

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

4. 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 September 8, 2006.

5. This order shall become effective on August 9, 2006.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of August, 2006.