

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of ExOp of Missouri, d/b/a Unite, for)
Approval of a Traffic Termination Agreement) **Case No. TO-2006-0177**
under the Telecommunications Act of 1996)

ORDER DIRECTING NOTICE AND MAKING
UNITED STATES CELLULAR CORPORATION A PARTY

Issue Date: October 20, 2005

Effective Date: October 20, 2005

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, United States Cellular Corporation, as a party to this proceeding.

On October 19, 2005, ExOp of Missouri, Inc., d/b/a Unite, applied with the Commission for approval of an interconnection agreement with U.S. Cellular under the provisions of the federal Telecommunications Act of 1996. Unite 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. Unite requests expeditious approval of the agreement.

Although U.S. Cellular is a party to the agreement, it did not join in the application. Because U.S. Cellular 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 THEREFORE ORDERED:

1. That the Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. That United States Cellular Corporation 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 November 9, 2005, with:

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

and send copies to:

Craig Johnson, Esq.
1648-A East Elm Street
Jefferson City, Missouri 65101

James Nauman
United States Cellular Corporation
8410 W. Bryn Mawr, Suite 700
Chicago, Illinois 60631

¹ 47 U.S.C. § 252(e).

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 November 21, 2005.

5. That this order shall become effective on October 20, 2005.

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

Dated at Jefferson City, Missouri,
on this 20th day of October, 2005.