

B✓
CM
Ro

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 18th
day of September, 1997.

In re: the Master Resale Agreement of United)
Telephone Company of Missouri d/b/a Sprint and)
Communications Cable-Laying Company, Inc.)
d/b/a Dial U.S.) CASE NO. TO-97-477

ORDER APPROVING MASTER RESALE AGREEMENT AND AMENDMENT
TO MASTER RESALE AGREEMENT

United Telephone Company of Missouri d/b/a Sprint (Sprint-United)
and Communications Cable-Laying Company, Inc. d/b/a Dial U.S. (Dial U.S.)
filed an application for approval of a resale agreement (the Agreement)
with the Missouri Public Service Commission (Commission) on April 28, 1997.
At the behest of the Staff of the Commission (Staff), the parties filed a
document entitled "Amendment to Master Resale Agreement" on July 23. This
amendment contains conversion charges and disconnection procedures.

On July 25, the Commission issued its Order Conditionally
Approving Master Resale Agreement and Rejecting Amendment to Master Resale
Agreement. The Commission noted that Section 1.01 of the Amendment to
Master Resale Agreement contained some provisions on the termination of
end-user service which might conflict with provisions on suspension of
service contained in Sprint-United's tariff, and which might be
inconsistent with the public interest. Because of the Commission's
concerns, the Commission rejected the Amendment to Master Resale Agreement.

However, the Commission later considered similar language in a
case involving an interconnection agreement between Southwestern Bell

Telephone Company and American Communication Services, Inc., Case No. TO-97-487. In that case, the Commission approved the language in question, stating that the Commission's concerns could be more appropriately addressed in a separate rulemaking proceeding. Re the Joint Application of American Communication Services, Inc. and Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996, Case No. TO-97-487, Order Approving Interconnection Agreement (July 31, 1997) at 5. The Commission issued a Supplemental Order in this case on August 8, directing the parties to refile the Amendment to Master Resale Agreement no later than 30 days from the date of the Supplemental Order.

On August 20, Sprint-United submitted a copy of the Master Resale Agreement with the pages numbered seriatim in the lower right-hand corner, as directed in ordered paragraph 4 of the Commission's July 25th order. Attached to the Master Resale Agreement is a copy of the Amendment to Master Resale Agreement, which Sprint-United refiled as directed in ordered paragraph 1 of the Commission's August 8th order.

As previously indicated, the Amendment to Master Resale Agreement was first filed at the request of Staff, and Staff previously reviewed the substance of the Amendment, and recommended approval of the Master Resale Agreement as supplemented by the Amendment to Master Resale Agreement. The Commission has reviewed the documents submitted by Sprint-United, and finds that they comply both with the Commission's July 25th Order Conditionally Approving Master Resale Agreement and Rejecting Amendment to Resale Agreement, and with the Commission's August 8th Supplemental Order. The pages of the Master Resale Agreement and Amendment to Master Resale Agreement are numbered seriatim in the lower right corner, and the

Amendment to Master Resale Agreement is appended to the Master Resale Agreement, which makes available the entirety of the agreement between Sprint-United and Dial U.S. in one document.

The Commission has compared the Amendment to Master Resale Agreement submitted on August 20 with the Amendment to Master Resale Agreement submitted on July 23, and finds that the two documents are substantively identical. Thus, the Commission finds that the parties have complied with the Commission's Supplemental Order. In addition, since the Commission originally only conditionally approved the Master Resale Agreement, the Commission will now approve the Agreement between Sprint-United and Dial U.S., comprised of the Master Resale Agreement, filed on April 28, and the Amendment to Master Resale Agreement filed on July 23 and refiled on August 20, in its entirety.

IT IS THEREFORE ORDERED:

1. That the Master Resale Agreement between United Telephone Company of Missouri d/b/a Sprint and Communications Cable-Laying Company, Inc. d/b/a Dial U.S. filed on April 28, 1997, and the Amendment to Master Resale Agreement filed on July 23, 1997, and refiled on August 20, 1997, are approved in their entirety.

2. That this order shall become effective on September 30, 1997.

BY THE COMMISSION



Cecil I. Wright
Executive Secretary

(S E A L)

Lumpe, Chm., Crumpton,
Murray, and Drainer,
CC., Concur.

ALJ: Bensavage