

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Commercial Mobile Radio )  
Services (CMRS) Interconnection Agreement by )  
and between New Cingular Wireless PCS, LLC )  
and its Commercial Mobile Radio Service Affiliates ) **File No. TK-2017-0003**  
and CenturyTel of Missouri, LLC dba CenturyLink )  
and Spectra Communications Group, LLC dba )  
CenturyLink pursuant to Sections 251 and 252 )  
of the Telecommunications Act of 1996 )

## ORDER APPROVING COMMERCIAL MOBILE RADIO SERVICES INTERCONNECTION AGREEMENT

Issue Date: August 5, 2016

Effective Date: August 15, 2016

This order approves the Commercial Mobile Radio Services Interconnection Agreement executed by the parties and filed by Spectra Communications Group, LLC d/b/a CenturyLink and CenturyTel of Missouri, LLC d/b/a CenturyLink (collectively “CenturyLink”).

On July 1, 2016, CenturyLink filed an application with the Commission for approval of an Interconnection Agreement with New Cingular Wireless PCS, LLC (New Cingular Wireless). The Agreement was filed pursuant to Section 252(e)(1) of the Telecommunications Act of 1996.<sup>1</sup> CenturyLink holds a certificate of service authority or are registered to provide basic local exchange telecommunications services in Missouri. New Cingular Wireless is a wireless telecommunications company not regulated by the Commission.

Although New Cingular Wireless is a party to the Agreement, it did not join in the application. On July 5, 2016, the Commission issued an order making New Cingular

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<sup>1</sup> See 47 U.S.C. § 251, *et seq.*

Wireless a party in this case and directing any party wishing to request a hearing to do so no later than July 20, 2016. No requests for hearing were filed.

The Staff of the Commission filed a memorandum and recommendation on July 15, 2016, recommending that the Agreement be approved.

### **Discussion**

Under Section 252(e) of the Act, any interconnection agreement adopted by negotiation must be submitted to the Commission for approval. The Commission may reject an agreement if it finds that the agreement is discriminatory or that it is not consistent with the public interest, convenience and necessity.

Staff recommends that the Agreement be approved and notes that the Agreement meets the limited requirements of the Act in that it is not discriminatory toward nonparties and is not against the public interest. Staff recommends that the Commission direct the parties to submit any amendments to the Commission for approval.

### **Findings of Fact**

The Commission has considered the application, the supporting documentation, and Staff's verified recommendation. Based upon that review, the Commission finds that the Agreement meets the requirements of the Act in that it does not discriminate against a nonparty carrier and implementation of the Agreement is not inconsistent with the public interest, convenience and necessity. The Commission finds that approval of the Agreement shall be conditioned upon the parties submitting any amendments to the Commission for approval pursuant to the procedure set out below.

### **Amendment Procedure**

The Commission has a duty to review all interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.<sup>2</sup> In order for the Commission's role of review and approval to be effective, the Commission must also review and approve or recognize amendments to these agreements. The Commission has a further duty to make a copy of every interconnection agreement available for public inspection.<sup>3</sup>

The parties to each interconnection agreement must maintain a complete and current copy of the agreement, together with all amendments, in the Commission's offices. Any proposed amendment must be submitted pursuant to Commission rules 4 CSR 240-28.020(5) and 4 CSR 240-28.080.

### **Conclusions of Law**

The Commission, under the provisions of Section 252(e)(1) of the federal Telecommunications Act of 1996,<sup>4</sup> is required to review negotiated interconnection agreements. It may only reject a negotiated agreement upon a finding that its implementation would be discriminatory to a nonparty or inconsistent with the public interest, convenience and necessity.<sup>5</sup> Based upon its review of the Agreement between CenturyLink and New Cingular Wireless and its findings of fact, the Commission concludes that the Agreement is neither discriminatory nor inconsistent with the public interest and shall be approved.

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<sup>2</sup> 47 U.S.C. § 252.

<sup>3</sup> 47 U.S.C. § 252(h).

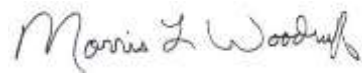
<sup>4</sup> 47 U.S.C. § 252(e)(1).

<sup>5</sup> 47 U.S.C. § 252(e)(2)(A).

**THE COMMISSION ORDERS THAT:**

1. The Commercial Mobile Radio Services Interconnection Agreement between Spectra Communications Group, LLC d/b/a CenturyLink and CenturyTel of Missouri, LLC d/b/a CenturyLink and New Cingular Wireless PCS, LLC, filed on July 1, 2016, is approved.
2. Any changes or amendments to this Agreement shall be submitted in compliance with 4 CSR 240-28.020(5) and 4 CSR 240-28.080.
3. This order shall become effective on August 15, 2016.
4. This file may be closed on August 16, 2016.

**BY THE COMMISSION**



Morris L. Woodruff  
Secretary



Morris L. Woodruff, Chief Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 5th day of August, 2016.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 5<sup>th</sup> day of August 2016.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**August 5, 2016**

**File/Case No. TK-2017-0003**

**Missouri Public Service  
Commission**

Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**

James Owen  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opc@psc.mo.gov

**AT&T Mobility**

Legal Department  
1025 Lenox Park Blvd. NE  
Atlanta, GA 30319

**CenturyLink (CenturyTel of  
Missouri)**

Becky O Kilpatrick  
100 CenturyLink Drive  
Monroe, LA 71201  
becky.kilpatrick@centurylink.com

**CenturyLink (Spectra)**

Becky O Kilpatrick  
100 CenturyLink Drive  
Monroe, LA 71201  
becky.kilpatrick@centurylink.com

**Missouri Public Service  
Commission**

Cully Dale  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
cully.dale@psc.mo.gov

**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.