

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Petition for Arbitration of)
Unresolved Issues in a Section 251(b)(5))
Agreement with ALLTEL Wireless and)
Western Wireless.)

Case No. TO-2006-0463

ORDER DIRECTING NOTICE OF PETITION FOR ARBITRATION,
SCHEDULING INITIAL ARBITRATION MEETING,
AND ESTABLISHING PROTECTIVE ORDER

Issue Date: June 14, 2006

Effective Date: June 14, 2006

On June 7, 2006, Cass County Telephone Company, Citizens Telephone Company of Higginsville, Missouri, Craw-Kan Telephone Cooperative, Inc., Goodman Telephone Company, Granby Telephone Company, Green Hills Telephone Corporation, Holway Telephone Company, Iamo Telephone Company, Kingdom Telephone Company, KLM Telephone Company, Lathrop Telephone Company, Le-Ru Telephone Company, Mark Twain Rural Telephone Company, McDonald County Telephone Company, Miller Telephone Company, Oregon Farmers Mutual Telephone Company, Ozark Telephone Company, Peace Valley Telephone Company, Inc., Rock Port Telephone Company, and Seneca Telephone Company filed a verified petition for arbitration with the Missouri Public Service Commission pursuant to the Telecommunications Act of 1996, requesting that the Commission arbitrate unresolved issues between the Petitioners and ALLTEL Wireless and Western Wireless for an interconnection agreement.¹

¹ Although the Petitioners refer to the agreement as a "traffic termination agreement," the Telecommunications Act of 1996 mentions only interconnection agreements.

As ALLTEL Wireless and Western Wireless are parties to the agreement, the Commission finds that they are necessary and indispensable to a resolution of this matter and shall be made parties. The Commission will direct the Data Center to provide notice of this petition to ALLTEL Wireless and Western Wireless, and ALLTEL Wireless and Western Wireless shall be permitted to file a joint response or separate responses to the petition with any additional information they choose to provide.

Initial Arbitration Meeting

The federal Telecommunications Act requires that this arbitration be completed by August 7, 2006. Due to the short amount of time available for this arbitration, the arbitrator will promptly schedule an initial arbitration meeting. At this meeting, the parties will be expected to consider and propose a procedural schedule that will allow this arbitration to proceed in the time allowed by statute. If any of the parties desire to appear at the initial meeting by telephone, they shall notify the Arbitrator as directed below.

Motion for Protective Order

The Petitioners filed a Motion for Protective Order on June 8, 2006. The Petitioners anticipate that discovery during the course of this case may include confidential information, reports, work papers, etc., not available in any other public document. Therefore, because of the need to conduct discovery and the potential harm to Petitioners and/or ALLTEL Wireless and Western Wireless if such information is made public, Petitioners request the Commission to issue its standard-form protective order.

Upon review of the motion, the Commission finds that there is a need to protect confidential information and that the request for a protective order is reasonable. The Commission will adopt its standard protective order for this case.

IT IS ORDERED THAT:

1. The Data Center shall serve notice of this petition upon ALLTEL Wireless and Western Wireless.

2. ALLTEL Wireless and Western Wireless are made parties to this case.

3. ALLTEL Wireless and Western Wireless shall file a joint response or separate responses, and any additional information regarding the petition for arbitration, no later than July 2, 2006, with the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, with a copy to:

W.R. England, III
Brian T. McCartney
BRYDON, SWEARENGEN & ENGLAND, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102
ATTORNEYS FOR PETITIONERS

4. An initial arbitration meeting shall be held on June 21, 2006, beginning at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. If anyone needs additional accommodations to participate in the meeting, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the meeting.

5. If a party desires to participate in the initial arbitration meeting by telephone, the party shall notify the Arbitrator no later than June 19, 2006, by calling 573-751-4393.

6. The Petitioners' Motion for Protective Order is granted, and the Protective Order attached to this order as Attachment A is adopted.

7. This order shall become effective on June 14, 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)

Nancy Dippell, Deputy Chief 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, 2006.