

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Rock Port)
Telephone Company for Approval of an)
Interconnection Agreement)

File No. IK-2020-0374

ORDER APPROVING INTERCONNECTION AGREEMENT

Issue Date: June 25, 2020

Effective Date: July 25, 2020

This order approves an Interconnection Agreement between the parties filed by Rock Port Telephone Company (Rock Port).

On May 18, 2020, Rock Port filed an application with the Commission for approval of an Interconnection Agreement with Level 3 Communications, LLC (Level 3 Communications). The Agreement was filed pursuant to Section 252(e)(1) of the Telecommunications Act of 1996.¹ Rock Port is certificated with the Commission as an incumbent local exchange carrier. Level 3 Communications is certificated with the Commission as a competitive local exchange and interexchange carrier.

Although Level 3 Communications is a party to the Agreement, it did not join in the application. On May 22, 2020, the Commission issued an order making Level 3 Communications a party in this case and directing any party wishing to request a hearing to do so no later than June 6, 2020. No requests for hearing were filed.

Under Section 252(e) of the Act, any Interconnection Agreement adopted by negotiation must be submitted to the Commission for approval. The Commission may

¹ See 47 U.S.C. § 251, *et seq.*

reject an Agreement if it finds that the Agreement is discriminatory or that it is not consistent with the public interest, convenience and necessity.

On June 19, 2020, the Staff of the Commission filed a recommendation. 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 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.² 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

² 47 U.S.C. § 252.

further duty to make a copy of every Interconnection Agreement available for public inspection.³

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 20 CSR 4240-28.020(5) and 20 CSR 4240-28.080.

Conclusions of Law

The Commission, under the provisions of Section 252(e)(1) of the federal Telecommunications Act of 1996,⁴ 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.⁵ Based upon its review of the amendments to the Agreement between Rock Port and Level 3 Communications and its findings of fact, the Commission concludes that the Agreement is neither discriminatory nor inconsistent with the public interest and shall be approved.

THE COMMISSION ORDERS THAT:

1. The Interconnection Agreement between Rock Port and Level 3 Communications, filed on May 18, 2020, is approved.
2. Any changes or amendments to this Agreement shall be submitted in compliance with 20 CSR 4240-28.020(5) and 20 CSR 4240-28.080.

³ 47 U.S.C. § 252(h).

⁴ 47 U.S.C. § 252(e)(1).

⁵ 47 U.S.C. § 252(e)(2)(A).

3. This order shall become effective on July 25, 2020.
4. This file may be closed on July 26, 2020.



BY THE COMMISSION

A handwritten signature in dark ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Morris L. Woodruff, Chief Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 25th day of June, 2020.

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 25th day of June 2020.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

June 25, 2020

File/Case No. IK-2020-0374

**Missouri Public Service
Commission**

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

Sincerely,



**Morris L. Woodruff
Secretary**

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