

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Application of Rock Port Telephone Company)
for Approval of an Interconnection Agreement) Case No. _____

**APPLICATION OF ROCK PORT TELEPHONE COMPANY
FOR APPROVAL OF AN INTERCONNECTION AGREEMENT**

COMES NOW Rock Port Telephone Company (“Rock Port”), pursuant to Commission rule 20 CSR 4240-28.013(2), and hereby files this Application for Approval of an Interconnection Agreement between Rock Port and Level 3 Communications, LLC (“Level 3”) under the Telecommunications Act of 1996 (“the Act”). In support of this Application, Rock Port states to the Missouri Public Service Commission (“Commission”) as follows:

I. AGREEMENT REACHED

1. Rock Port is a local exchange carrier operating in Missouri. Rock Port is a Missouri corporation in good standing with the Missouri Secretary of State. Rock Port’s annual reports and assessment fees are not overdue.

2. On May 13, 2020, after good faith negotiations, Rock Port and Level 3 executed an Interconnection Agreement (“the Agreement”) for the state of Missouri pursuant to the terms of the Federal Act (*see* Agreement, Attachment I). Pursuant to Commission rule 20 CSR 4240-28.013(2) and the Act, Rock Port hereby submits this Agreement for approval by the Commission.

3. The Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement consists of fifty-five (55) pages, including attachments. There are no outstanding issues between Rock Port and Level 3 that need the assistance of mediation or arbitration.

II. REQUEST FOR APPROVAL

4. Rock Port seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act and Missouri law. Rock Port represents that the implementation of this negotiated and executed Agreement complies fully with Missouri law and Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. Rock Port respectfully requests that the Commission grant expeditious approval of this Agreement, without change, suspension or delay in its implementation. This is a bilateral agreement, reached as a result of negotiations and compromise between the parties. Correspondence, orders and decisions in this matter should be addressed to:

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Level 3 Communications, LLC
ATTN: Jeff Nodland
700 West Mineral Ave.
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Littleton, CO 80120
Jeff.Nodland@CenturyLink.com
Legal.Interconnection@CenturyLink.com

Level 3 Communications, LLC
ATTN: VP – Carrier Relations
1025 Eldorado Blvd.
Broomfield, CO 80021

III. COMMISSION AUTHORITY

5. Under the Act, the Commission has the authority to grant the relief requested by Rock Port. Specifically, Section 252(a) of the Act provides:

(a) AGREEMENTS ARRIVED AT THROUGH NEGOTIATIONS

- (1) **VOLUNTARY NEGOTIATIONS.** – Upon receiving a request for interconnection, services, or network elements pursuant to section 251, an incumbent local exchange carrier may negotiate

and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of section 251. The agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement. The agreement, including any interconnection agreement negotiated before the date of enactment of the Telecommunications Act of 1996, shall be submitted to the State commission under subsection (e) of this section.

IV. STANDARD OF REVIEW

Under Section 252 of the Act, the Commission has the authority to approve an agreement negotiated between an incumbent local exchange company (ILEC) and other telecommunications carriers. The Commission may only reject an agreement if the agreement is discriminatory to a nonparty or is inconsistent with the public interest, convenience, and necessity. Section 252(e)(2) of the Act provides as follows:

GROUND FOR REJECTION. – The State Commission may only reject –

- (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that –
 - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity;

Rock Port states that the Agreement does not discriminate against a telecommunications carrier not a party to the Agreement. Rock Port further states that implementation of the Agreement is consistent with the public interest, convenience, and necessity.

V. CONCLUSION

WHEREFORE, Rock Port respectfully requests the Commission to issue an Order that:

- (1) approves expeditiously the Interconnection Agreement between Rock Port and Level 3, and
- (2) grants such other relief as is reasonable in the circumstances.

Respectfully submitted,

By /s/ W.R. "Trip" England, III
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Brian T. McCartney Mo. #47788
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Attorneys for Rock Port Telephone Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served to the following parties on this 18th day of May, 2020:

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel
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Jefferson City, MO 65102
opcservice@opc.mo.gov

Level 3 Communications, LLC
ATTN: Jeff Nodland
700 West Mineral Ave.
Location MZ00-L14.08
Littleton, CO 80120
Jeff.Nodland@CenturyLink.com
Legal.Interconnection@CenturyLink.com

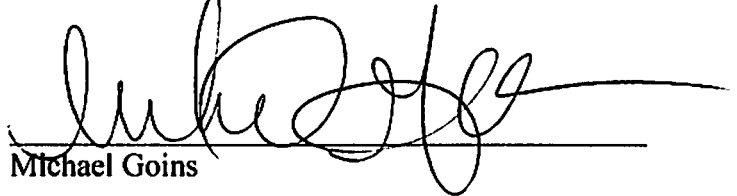
Level 3 Communications, LLC
ATTN: VP – Carrier Relations
1025 Eldorado Blvd.
Broomfield, CO 80021

/s/ W.R. "Trip" England, III

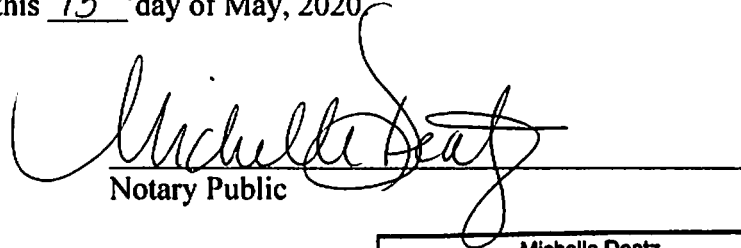
VERIFICATION

COUNTY OF ATCHISON)
) ss.
STATE OF MISSOURI)

I, Michael Goins, being duly sworn upon my oath, state that I am over twenty-one, sound of mind, and am authorized to act on behalf of Rock Port Telephone Company regarding the foregoing document. I have read it and verify that the facts contained in it are true and correct according to the best of my knowledge, information and belief.


Michael Goins

Sworn and subscribed to before me this 13th day of May, 2020


Notary Public

Michella Deatz
Notary Public - Notary Seal
STATE OF MISSOURI
Commissioned for Atchison County
Commission #14943019
My Commission Expires: September 25, 2022