

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In Re: Commercial Mobile Radio Services (CMRS))
Interconnection Agreement By and Between Onvoy)
Spectrum, LLC and Embarq Missouri, Inc. d/b/a) **File No. TK-2018-0015**
CenturyLink Pursuant to Sections 251 and 252 of the)
Telecommunications Act of 1996)

ORDER APPROVING INTERCONNECTION AGREEMENT

Issue Date: August 17, 2017

Effective Date: August 27, 2017

This order approves the Commercial Mobile Radio Services (CMRS) Interconnection Agreement executed by the parties and filed by Embarq Missouri, Inc. d/b/a CenturyLink (CenturyLink).

On July 18, 2017, CenturyLink filed an application with the Commission for approval of a CMRS Interconnection Agreement with Onvoy Spectrum, LLC (Onvoy). The Agreement was filed pursuant to Section 252(e)(1) of the Telecommunications Act of 1996.¹ Both CenturyLink and Onvoy hold certificates of service authority or are registered to provide basic local exchange, interexchange telecommunications services, or both in Missouri. Although Onvoy is a party to the Agreement, it did not join in the application. On July 18, the Commission issued an order making Onvoy a party in this case and directing any party wishing to request a hearing to do so no later than August 4. No requests for hearing were filed.

The Staff of the Commission filed a memorandum and recommendation on August 17, recommending the Agreement be approved.

¹ See 47 U.S.C. § 251, *et seq.*

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 the Commission approve the Agreement and notes 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 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 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 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 1996,⁴ 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 Agreement between CenturyLink and Onvoy and its findings of fact, the Commission concludes the Agreement is neither discriminatory nor inconsistent with the public interest and shall be approved.

THE COMMISSION ORDERS THAT:

1. The CMRS Interconnection Agreement between Embarq Missouri, Inc. d/b/a CenturyLink and Onvoy Spectrum, LLC, filed on July 18, 2017, 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 be effective on August 27, 2017.

³ 47 U.S.C. § 252(h).

⁴ 47 U.S.C. § 252(e)(1).

⁵ 47 U.S.C. § 252(e)(2)(A).

4. This file may be closed on August 28, 2017.



BY THE COMMISSION

A handwritten signature in black 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 17th day of August, 2017.