

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
 2. BUREAU: OSA :
 3. SECTION(S) : :
 5. APPROVED BY: : 4. PUBLIC MEETING DATE:
 DIRECTOR: : 00/00/00
 SUPERVISOR: :
 6. PERSON IN CHARGE: : 7. DATE FILED: 08/01/06
 8. DOCKET NO: A-311419 F7013 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: NORTHEASTERN PENNSYLVANIA TELEPHONE CO

RESPONDENT/APPLICANT: NEP CELLCORP, INC.

COMP/APP COUNTY:

UTILITY CODE: 311419

ALLEGATION OR SUBJECT

JOINT PETITION OF THE NORTH-EASTERN PENNSYLVANIA TELEPHONE COMPANY AND NEP CELLCORP, INC. FOR APPROVAL OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252(E) OF THE TELECOMMUNICATIONS ACT OF 1996.

DOCUMENT
FOLDER

DOCKETED

AUG 07 2006

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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CHARLES E. THOMAS
(1913 - 1998)

August 1, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

In re: Joint Petition for Approval of an Agreement of an Interconnection Agreement
Between The North-Eastern Pennsylvania Telephone Company and NEP
Cellcorp, Inc
Docket No. A- 311419 F 7013

Dear Secretary McNulty:

Enclosed for filing on behalf of The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc. are an original and three (3) copies of their Joint Petition in the above referenced proceeding. NEP Cellcorp, Inc. concurs in the filing of this Petition. Copies of the Joint Petition have been served in accordance with the attached Certificate of Service.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Patricia Armstrong

DOCUMENT
FOLDER

Enclosures

cc: Certificate of Service
Steven D. Tourje (w/encl.)
Timothy A. Stearns (w/encl.)

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Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Joint Petition for Approval of an :
Interconnection Agreement between :
The North-Eastern Pennsylvania : Application Docket No. A-
Telephone Company and NEP :
Cellcorp, Inc. :

A-311419 F 7013

JOINT PETITION

NOW COME, The North-Eastern Pennsylvania Telephone Company ("NEPTC") and NEP Cellcorp, Inc., d/b/a NEP Wireless ("Wireless") and respectfully submit to the Pennsylvania Public Utility Commission ("Commission") for approval, the attached Interconnection Agreement between NEPTC and Wireless ("Agreement") under the Telecommunications Act of 1996 ("TA-96") and the Commission's Order entered June 3, 1996, In Re: Implementation of the Telecommunications Act of 1996, Docket No. M-00960799. The Agreement facilitates Wireless' provision of CMRS service to customers in Pennsylvania. NEPTC and Wireless therefore respectfully request that the Commission approve the Agreement. In support of this request, NEPTC and Wireless state as follows:

I. THE PARTIES

1. The North-Eastern Pennsylvania Telephone Company is an incumbent local exchange carrier authorized to provide local exchange telecommunications services in Pennsylvania.

2. Wireless is a telecommunications company that has been granted authority by the Federal Communications Commission to provide CMRS service in Pennsylvania.

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II. THE AGREEMENT

3. NEPTC and Wireless have entered into this Agreement pursuant to §252 of TA-96.

4. The Agreement sets forth the terms, conditions and prices under which NEPTC and Wireless will offer and provide network interconnection, reciprocal call transport and termination and other services to each other. The Agreement is an integrated package that reflects a balancing of interests critical to the parties.

III. COMPLIANCE WITH TA-96

5. The Agreement satisfies the requirements for Commission approval pursuant to §252(e)(2)(A) of TA-96, which provides as follows:

"(2) GROUNDS 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[.]"

6. The Agreement does not discriminate against any other telecommunications carrier, as required by Section 252(e)(2)(A)(i). Other carriers are not bound by the Agreement and remain free to negotiate independently with NEPTC and Wireless pursuant to Section 252 of TA-96.

7. The Agreement is consistent with the public interest, convenience and necessity, as required by Section 252(e)(2)(A)(ii). The Agreement permits Wireless and

NEPTC to interconnect their networks and provide reciprocal transport and termination, benefitting Wireless' end user customers and facilitating Wireless' provision of CMRS.

IV. APPROVAL OF THE AGREEMENT

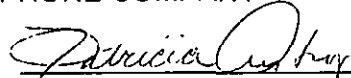
8. Under Section 252(e)(4) of the Act, the Commission has ninety (90) days to approve or reject the Agreement. The parties request that the Commission approve the Agreement without revision as quickly as possible, consistent with the public interest.

WHEREFORE, NEPTC and Wireless respectfully request that the Commission approve the attached Interconnection Agreement pursuant to the Telecommunications Act of 1996.

Respectfully submitted,

THE NORTH-EASTERN PENNSYLVANIA
TELEPHONE COMPANY

By



D. Mark Thomas, Esquire
PA Attorney ID No. 15611
Patricia Armstrong, Esquire
PA Attorney ID No. 23725
THOMAS, THOMAS,
ARMSTRONG & NIESEN
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Harrisburg, PA 17108-9500
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(717) 255-7230 (Fax)
E-mail: dmthomas@tlanlaw.com
parmstrong@tlanlaw.com

Attorneys for
The North-Eastern Pennsylvania
Telephone Company

Dated: August 1, 2006

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition for Approval of an
Agreement of an Interconnection
Agreement Between The North-
Eastern Pennsylvania Telephone
Company and NEP Cellcorp, Inc

Docket No. A-_____

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of August, 2006, served a true and correct copy of the foregoing Joint Petition of The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc. upon the persons listed below by first class mail, postage prepaid:

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

William R. Lloyd, Jr.
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101



Patricia Armstrong

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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: August 7, 2006

SUBJECT: A-311419F7013

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary *KB*

Joint Petition of The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc. for Approval of an Interconnection Agreement Under Section 252(e) of the Telecommunications Act of 1996.

Attached is a copy of a Joint Petition for Approval of an Interconnection Agreement filed in connection with the above-docketed proceeding.

Enclosed is a copy of the notice that we provided to the Pennsylvania Bulletin to be published on August 19, 2006. Comments are due on or before 10 days after the publication of this notice.

This matter is assigned to your Office for appropriate action.

Attachment

cc: Bureau of Fixed Utility Services
Office of Administrative Law Judge-copy of memo only

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

Joint Petition of The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc. for Approval of an Interconnection Agreement Under Section 252(e) of The Telecommunications Act of 1996.
Docket Number: A-311419F7013

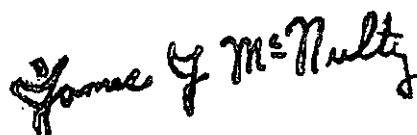
The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc., by its counsel, filed on August 1, 2006, at the Public Utility Commission, a Joint Petition for approval of an Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. All such Comments are due on or before 10 days after the date of publication of this notice. Copies of the The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

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BY THE COMMISSION



James J. McNulty
Secretary

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AUG 07 2006



THOMAS, THOMAS,
ARMSTRONG & NIESEN

Attorneys and Counsellors at Law

MICHAEL L. SWINDLER
Direct Dial: 717.255.7609
mswindler@ttanlaw.com

October 19, 2006
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2006 OCT 19 AM 10:53
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ORIGINAL

HAND DELIVERY

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

In re: Joint Petition for Approval of an Interconnection Agreement Between
The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc.
Docket No. A-311419F7013

Dear Secretary McNulty:

Please be advised that, pursuant to Ordering Paragraph 3 of the Commission's Order in the above referenced proceeding, the Interconnection Agreement filed on August 1, 2006 was, in fact, the true and correct copy of the Interconnection Agreement. Also, enclosed is a CD containing the Interconnection Agreement in .pdf format as required by Ordering Paragraph 3 of the Order.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By 

Michael L. Swindler

Enclosure

cc: Certificate of Service
Steven D. Tourje (w/o encl.)
Timothy Stearns (w/o encl.)

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition for Approval of an :
Interconnection Agreement Between :
The North-Eastern Pennsylvania : Docket No. A-311419F7013
Telephone Company and NEP :
Cellcorp, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this 19th day of October, 2006, served a true and correct copy of the foregoing letter on behalf of The North-Eastern Pennsylvania Telephone Company and NEP Cellcorp, Inc., upon the persons listed below by first class mail, postage prepaid:

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

William R. Lloyd, Jr.
Small Business Advocate
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101



Michael L. Swindler
PA Attorney ID No. 43319

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