

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: OSA
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: A-311370 F7003
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 05/31/05
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: COMMONWEALTH TELEPHONE COMPANY

RESPONDENT/APPLICANT: INDIGO WIRELESS, INC

COMP/APP COUNTY:

UTILITY CODE: 311370

ALLEGATION OR SUBJECT

JOINT PETITION OF COMMONWEALTH TELEPHONE COMPANY AND INDIGO WIRELESS, INC, FOR APPROVAL OF A NEGOTIATED INTERCONNECTION AGREEMENT PURSUANT TO SECTIONS 252(A) (1) AND 252(E) OF THE TELECOMMUNICATIONS ACT OF 1996.

DOCUMENT  
FOLDER

**DOCKETED**

JUN 09 2005

Hawke  
 McKeon  
  Sniscak &  
   Kennard LLP  
ATTORNEYS AT LAW

William T. Hawke  
Kevin J. McKeon  
Thomas J. Sniscak  
Norman James Kennard  
Lillian Smith Harris  
Scott T. Wyland  
Todd S. Stewart  
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William E. Lehman  
Rikardo J. Hull  
Katherine E. Lovette

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

May 31, 2005

VIA HAND DELIVERY

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street – Filing Room (2<sup>nd</sup> Floor)  
P.O. Box 3265  
Harrisburg, PA 17105-3265

A-311370F 7003

RE: Joint Petition for Approval of Negotiated Interconnection Agreement Between Commonwealth Telephone Company and Indigo Wireless

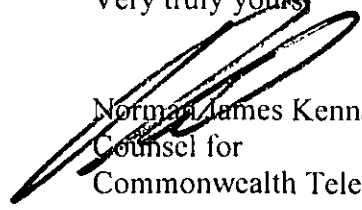
Dear Secretary McNulty:

Enclosed for filing with your office, please find an original and three (3) copies of a Joint Petition for Approval of Negotiated Interconnection Agreement Between Commonwealth Telephone Company (“CTCo”) and Indigo Wireless.

If you have any questions regarding this filing, please do not hesitate to contact me at 717-236-1300.

Very truly yours,

DOCUMENT  
FOLDER



Norman James Kennard  
Counsel for  
Commonwealth Telephone Company

RIK/tap  
Enclosures  
cc: Theresa Moffitt

RECEIVED  
2005 MAY 31 PM 1:27  
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA

Before The

PENNSYLVANIA PUBLIC UTILITY COMMISSION

A-311370F7003

2005 MAY 31 PM 1:27  
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COMMONWEALTH TELEPHONE COMPANY )  
 )  
 and )  
 )  
 INDIGO WIRELESS, INC. )  
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B

JOINT PETITION FOR APPROVAL OF NEGOTIATED  
INTERCONNECTION AGREEMENT BETWEEN  
COMMONWEALTH TELEPHONE COMPANY AND  
INDIGO WIRELESS INC.

DOCUMENT  
FOLDER

Commonwealth Telephone Company ("CT") and Indigo Wireless, Inc ("Indigo")  
hereby request that the Commission review and approve the attached Interconnection  
Agreement pursuant to Sections 252(a)(1) and 252(e) of the Telecommunications Act of 1996  
47 U.S.C. §§ 252(a)(1) and 252(e) (the "Act"). In support of their request, the parties state as  
follows:

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JUN 09 2005

1. The Agreement was arrived at through good faith negotiations between the parties as contemplated by Section 252(a) of the Act and provides for interconnection as addressed in Section 251 of the Act.
2. Pursuant to Section 252(e)(2), the Commission may only reject a negotiated Agreement if it finds that (1) the Agreement discriminates against another carrier or (2) implementation of the Agreement would not be consistent with the public interest, convenience and necessity.
3. CT will make the Agreement available to any other telecommunications carrier operating within its territory. Other carriers are also free to negotiate their own terms and

conditions pursuant to the applicable provisions of the Act. For this reason, the Agreement is not discriminatory.

4. In addition, implementation of the Agreement is consistent with the public interest because it will promote competition and enhance Indigo's ability to provide Pennsylvania telecommunications users with a competitive alternative for Commercial Mobile Radio Services.

5. This Agreement is identical in terms to the Verizon Wireless-CTCo Agreement effective February 1, 2003 and approved by the Pennsylvania Public Utility Commission by orders adopted May 1, 2003 and April 17, 2003 (A-313489F7003, A-311255F7003), except that three (3) new definitions and a new Section 6 has been added in order to address FCC number portability requirements.

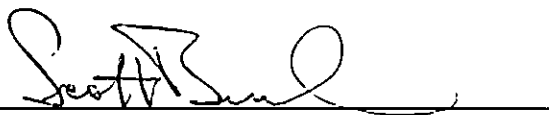
6. In accordance with Section 252(e)(4) of the Act, the Agreement will be deemed approved if the Commission does not act to approve or reject the Agreement within 90 days from the date of this submission.

7. Copies of the Agreement are available for public inspection in CT and Indigo's public offices.

WHEREFORE, CT and Indigo respectfully request that the Commission approve the attached Interconnection Agreement under Section 252(e) of the Act as expeditiously as possible.

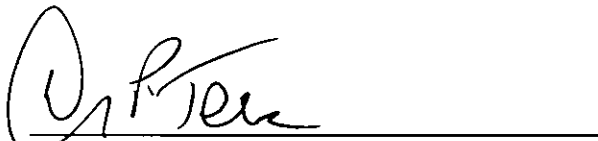
Respectfully submitted this 24<sup>th</sup> day of May, 2005

**COMMONWEALTH TELEPHONE COMPANY**



Scott Burnside  
Senior Vice President  
Industry and Government Affairs  
Commonwealth Telephone Company  
100 CTE Drive  
Dallas, PA 18612

**INDIGO WIRELESS, INC.**

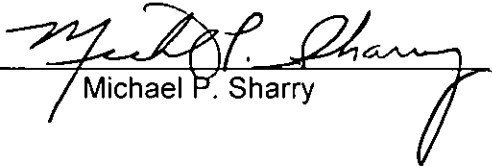


David P. Tews  
Vice President  
Indigo Wireless, Inc.  
23 North Main Street  
Mansfield, PA 16933

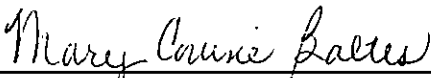
COMMONWEALTH OF PENNSYLVANIA )  
 ) ss:  
COUNTY OF LUZERNE )

VERIFICATION

Michael P. Sharry, being duly sworn or affirmed, states on oath or affirmation that he is Director Regulatory & Public Affairs and Statutory Agent for Commonwealth Telephone Company, and that the facts stated in the foregoing Joint Petition for Approval of Negotiated Agreement are true and correct to the best of his knowledge, information and belief.

  
Michael P. Sharry

Subscribed and sworn to or affirmed before me this 24th day of May, 2005

  
Mary Covine Baltes

Notary Public  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Mary Covine Baltes, Notary Public  
Dallas Twp., Luzerne County  
My Commission Expires Mar. 29, 2008  
Member, Pennsylvania Association Of Notaries

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2005 MAY 31 PM 1:28  
SECRETARY'S BUREAU

STATE OF Pennsylvania )  
 )  
COUNTY OF Tioga ) ss:

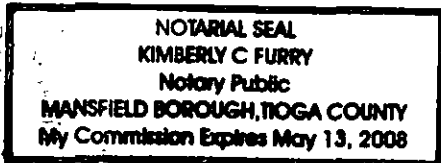
VERIFICATION

David P. Tew, being duly sworn or affirmed, states on oath or affirmation that he/ she is Vice President, for Indigo Wireless, Inc and that the facts stated in the foregoing Joint Petition for Approval of Negotiated Agreement are true and correct to the best of his/her knowledge, information and belief.

David P. Tew

Subscribed and sworn to or affirmed before me this 19th day of May, 2005

Kimberly C. Furry  
Notary Public



DATE: June 9, 2005

SUBJECT: A-311370F7003

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary *JJM*

DOCUMENT  
FOLDER

JOINT PETITION OF COMMONWEALTH TELEPHONE COMPANY  
AND INDIGO WIRELESS, INC., FOR APPROVAL OF A  
NEGOTIATED INTERCONNECTION AGREEMENT UNDER  
SECTION 252(a)(1) and 252(e) OF THE TELECOMMUNICATIONS  
ACT OF 1996.

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Attached is a copy of a Joint Petition for Approval of a negotiated  
Interconnection Agreement filed by Commonwealth Telephone Company and  
Indigo Wireless, Inc., 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 June 25, 2005. 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

DOCKETED

JUN 09 2005

Hawke

ORIGINAL

McKeon

Sniscak &

Kennard LLP

ATTORNEYS AT LAW

William T. Hawke  
Kevin J. McKeon  
Thomas J. Sniscak  
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100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

August 31, 2005

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

RE: Joint Petition of Commonwealth Telephone Company and Indigo Wireless, Inc., for Approval of a Negotiated Interconnection Agreement Under Sections 252(a)(1) and 252(e) of the Telecommunications Act of 1996; Docket No. A-311370F7003

Dear Secretary McNulty:

As directed by the Order entered by the Pennsylvania Public Utility Commission on August 16, 2005 in connection with the above-captioned matter, enclosed is a diskette that contains a copy of the Interconnection Agreement between Commonwealth Telephone Company and Indigo Wirless, Inc., in .pdf format, as required by the Order.

The Agreement contains on the diskette is a signed, true and correct copy of the Agreement and is the same as that was filed on May 31, 2005 with the Commission.

If you have any questions, please do not hesitate to contact me at the above number.

DOCKETED  
SEP 2 2005

Sincerely,



Norman James Kennard

NJK/kml  
Enclosure

RECEIVED  
2005 AUG 31 PM 4:05  
SECRETARY'S BUREAU

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105