

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: 11/17/05
8. DOCKET NO: A-311394 F7015	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: CONESTOGA TELEPHONE AND TELEGRAPH COM

RESPONDENT/APPLICANT: T-MOBILE USA, INC.

COMP/APP COUNTY:

UTILITY CODE: 311394

ALLEGATION OR SUBJECT

JOINT PETITION OF CONESTOGA TELEPHONE AND TELEGRAPH COMPANY AND T-MOBILE USA, INC. FOR APPROVAL OF AN INTERCONNECTION AGREEMENT AND AMENDMENT NO. 1 UNDER SECTION 252 (E) OF THE TELECOMMUNICATIONS ACT OF 1996.

DOCUMENT
FOLDER

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"corrected caption"

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JOINT PETITION OF CONESTOGA TELEPHONE AND TELEGRAPH COMPANY AND T-MOBILE USA, INC. FOR APPROVAL OF AMENDMENT NO. 1 TO AN INTERCONNECTION AGREEMENT UNDER SECTION 252(E) OF THE TELECOMMUNICATIONS ACT OF 1996.

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

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SECRETARY'S BUREAU

CHARLES E. THOMAS
(1913 - 1998)

November 17, 2005

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 the Interconnection Agreement between T-Mobile USA, Inc. and Denver & Ephrata Telephone and Telegraph Company, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph Company Under the Telecommunications Act of 1996
Docket No. A-311050F0003 A-311394 F 7015

Dear Secretary McNulty:

Enclosed please find an original and three (3) copies of the Joint Petition and Amendment No. 1 between Denver & Ephrata Telephone and Telegraph Company, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph and T-Mobile USA, Inc. in the above referenced proceeding. The attached Joint Petition was electronically signed by T-Mobile and we are authorized to file this Joint Petition on their behalf. Copies of the Joint Petition and Amendment are being served in accordance with the attached Certificate of Service.

If you have any questions, please contact the undersigned.

DOCUMENT
FOLDER

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By: 
Patricia Armstrong

Enclosures

cc: Certificate of Service
Leonard J. Beurer (w/encl.)

46
~~44~~

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Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition for Approval of the :
Interconnection Agreement between T- :
Mobile USA, Inc. and Denver & : Application Docket No. ~~A-311050F0003-~~
Ephrata Telephone and Telegraph : *A - 311394 F 2015*
Company, Buffalo Valley Telephone :
Company and Conestoga Telephone :
and Telegraph Company Under the :
Telecommunications Act of 1996 :

JOINT PETITION

NOW COME. Denver & Ephrata Telephone and Telegraph Company, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph Company (collectively "D&E") and T-Mobile USA, Inc. (formerly D&E/OmniPoint Wireless Joint Venture, L.P., d/b/a PCS One) ("T-Mobile") and respectfully submit to the Pennsylvania Public Utility Commission ("Commission") for approval, the attached Amendment No. 1 to the August 16, 1999 Interconnection Agreement between T-Mobile and D&E ("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 provides for amendment of the August 16, 1999 Agreement and the inclusion of Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph Company traffic to its terms. The Agreement facilitates T-Mobile's provision of CMRS service to customers in Pennsylvania. D&E and T-Mobile therefore respectfully request that the Commission approve the Agreement. In support of this request, D&E and T-Mobile state as follows:

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I. THE PARTIES

1. Denver and Ephrata Telephone and Telegraph Company, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph Company are each incumbent local exchange carriers authorized to provide local exchange telecommunications services in Pennsylvania. Denver and Ephrata Telephone and Telegraph Company and T-Mobile USA, Inc. entered into an Interconnection Agreement dated August 16, 1998 which was approved by Commission Order adopted January 27, 2000 at A-311050F0003.

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

II. THE AGREEMENT

3. D&E and T-Mobile have entered into this Agreement pursuant to §252 of TA-96.

4. The Agreement sets forth the terms, conditions and prices under which D&E and T-Mobile 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 D&E and T-Mobile 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 T-Mobile and D&E to interconnect their networks and provide reciprocal transport and termination, benefitting Sprint's end user customers and facilitating T-Mobile's 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 and Amendment. The parties request that the Commission approve the Agreement without revision as quickly as possible, consistent with the public interest.

WHEREFORE, D&E and T-Mobile respectfully request that the Commission approve the attached Amendment No. 1 to the August 16, 1999 Interconnection Agreement pursuant to the Telecommunications Act of 1996.

Respectfully submitted,

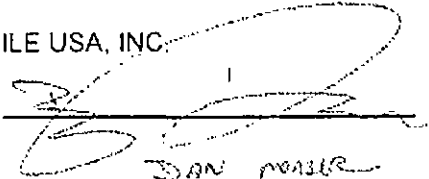
DENVER & EPHRATA TELEPHONE AND TELEGRAPH COMPANY, BUFFALO VALLEY TELEPHONE COMPANY AND CONESTOGA TELEPHONE AND TELEGRAPH COMPANY

By 

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Patricia Armstrong, Esquire
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Attorneys for
Denver & Ephrata Telephone and
Telegraph Company, Buffalo
Valley Telephone Company and
Conestoga Telephone and
Telegraph Company

T-MOBILE USA, INC.

By 

Attorneys for T-Mobile USA, Inc.

Dated: November 17, 2005

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition for Approval of the :
Interconnection Agreement between :
T-Mobile USA, Inc. and Denver & : Application Docket No.
Ephrata Telephone and Telegraph : A-A-311050F0003
Company, Buffalo Valley Telephone : A.311394 F 7015
Company and Conestoga Telephone :
and Telegraph Company Under the :
Telecommunications Act of 1996 :

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CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of November, 2005, served a true and correct copy of the foregoing Joint Petition and Amendment No. 1 on behalf of T-Mobile USA, Inc. and Denver & Ephrata Telephone and Telegraph Company, Buffalo Valley Telephone Company and Conestoga Telephone and Telegraph Company 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

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Dan Menser, Esquire
T-Mobile USA, Inc.
Room 937
1855 Gateway Boulevard
Concord, CA 94520


Patricia Armstrong

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: November 22, 2005

SUBJECT: A-311394F7015

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary *KB*

Joint Petition of Conestoga Telephone & Telegraph Company and T-Mobile USA, Inc. for Approval of an Interconnection Agreement and Amendment No. 1 Under Section 252(e) of the Telecommunications Act of 1996.

Attached is a copy of a Joint Petition for Approval of an Interconnection Agreement and Amendment No. 1 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 December 3, 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

DOCUMENT
FOLDER

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NOV 21 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

Joint Petition of Conestoga Telephone & Telegraph Company and T-Mobile USA, Inc. for Approval of an Interconnection Agreement and Amendment No. 1 Under Section 252(e) of The Telecommunications Act of 1996.

Docket Number: A-311394F7015

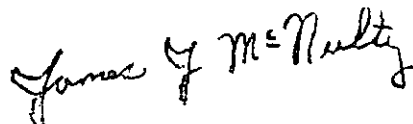
Conestoga Telephone & Telegraph Company and T-Mobile USA, Inc., by its counsel, filed on November 17, 2005, at the Public Utility Commission, a Joint Petition for approval of an Interconnection Agreement and Amendment No. 1 under Sections 251 and 252 of the Telecommunications Act of 1996.

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 Conestoga Telephone & Telegraph Company and T-Mobile USA, 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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CHARLES E. THOMAS
(1913 - 1998)

ORIGINAL

January 25, 2006

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

DOCUMENT
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2006 JAN 25 AM 11:38
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In re: Interconnection of Conestoga Telephone and Telegraph Company and T-Mobile USA, Inc., a successor in interest to its affiliate D&E/Omnipoint Wireless Joint Venture, L.P., d/b/a PCS One ("T-Mobile")
Docket No. A-311394F7015

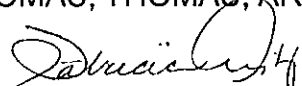
Dear Secretary McNulty:

Please be advised pursuant to Ordering Paragraph 3 of the Commission's January 13, 2006 Order in the above-referenced proceeding, Conestoga Telephone and Telegraph Company is filing an electronic copy on diskette containing Amendment No. 1 to the Interconnection Agreement in pdf format.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Patricia Armstrong

DOCKETED
MAR 10 2005

Enclosure

cc: April Peachey (w/o encl.)