

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: 10/23/06
8. DOCKET NO: A-311395 F7013	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: THE NORTH-EASTERN PA TELEPHONE COMPANY

RESPONDENT/APPLICANT: CINGULAR WIRELESS, LLC

COMP/APP COUNTY: UTILITY CODE: 311395

ALLEGATION OR SUBJECT

JOINT PETITION OF THE NORTH-EASTERN PENNSYLVANIA TELEPHONE COMPANY & CINGULAR WIRELESS LLC FOR APPROVAL OF AN INTERCONNECTION AGREEMENT UNDER SECTION 252 (E) OF THE TELECOMMUNICATIONS ACT OF 1996.

**DOCUMENT
FOLDER**

DOCKETED
OCT 27 2006

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

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

MICHAEL L. SWINDLER
Direct Dial: (717) 255-7609
E-Mail: mswindler@ttanlaw.com

www.ttanlaw.com
FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

October 23, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
2 North, Commonwealth Keystone Bldg.
Harrisburg, PA 1710-3265

ORIGINAL

Re: Petition for Approval of the Interconnection Agreement between The North-Eastern Pennsylvania Telephone Company and Cingular Wireless, LLC Under the Telecommunications Act of 1996
Application Docket No. A- 311395 F 7013

Dear Secretary McNulty:

Enclosed for filing on behalf of The North-Eastern Pennsylvania Telephone Company are an original and three (3) copies of its Petition seeking approval of its Interconnection Agreement with Cingular Wireless, LLC. A Certificate of Service is attached to the Petition.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Michael L. Swindler

Enclosures

cc: Certificate of Service (w/enclosure)
Edward E. Tourje (w/enclosure)
Thomas A. Mendicino (w/enclosure)
Steven E. Tourje (w/enclosure)

061020-McNulty-NEPTC.wpd

DOCUMENT
FOLDER

SECRETARY'S BUREAU
PA PUC

2006 OCT 23 PM 4:17

RECEIVED

83

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2006 OCT 23 PM 4:17
PA PUC
SECRETARY'S BUREAU

Petition for Approval of the :
Interconnection Agreement between :
The North-Eastern Pennsylvania : Application Docket No. A-311395 F 7013
Telephone Company and Cingular :
Wireless, LLC Under the :
Telecommunications Act of 1996 :

PETITION

ORIGINAL

NOW COMES, The North-Eastern Pennsylvania Telephone Company ("Telephone Company") and respectfully seeks Pennsylvania Public Utility Commission ("Commission") approval of the attached Interconnection Agreement between Telephone Company and Cingular Wireless, LLP ("Cingular") ("Agreement") under the Telecommunications Act of 1996 ("TCA-96") as interpreted by the Federal Communications Commission ("FCC") in its Order in Developing a Unified Intercarrier Compensation Regime, T-Mobile et al., Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs, CC Docket No. 01-92, Declaratory Ruling and Report and Order, released February 24, 2005 ("T-Mobile decision"), and pursuant to this Commission's Order entered June 3, 1996, In Re: Implementation of the Telecommunications Act of 1996, Docket No. M-00960799. The Agreement facilitates the provision of service between customers of Telephone Company and Cingular. Telephone Company therefore respectfully requests that the Commission approve the said Agreement. In support of this request, Telephone Company represents as follows:

DOCUMENT
FOLDER

DOCKETED
OCT 27 2006

I. THE PARTIES

1. Telephone Company is a rural incumbent local exchange carrier providing local exchange telecommunications services in Pennsylvania.

2. Cingular provides wireless services in Telephone Company's local service territory.

II. THE AGREEMENT

3. Telephone Company and Cingular have entered into this Agreement pursuant to Section 252 of TCA-96, 47 U.S.C. §252, and the FCC's T-Mobile decision.

4. The Agreement sets forth the terms, conditions and prices under which Telephone Company and Cingular 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 TCA-96

5. The Agreement satisfies the requirements for Commission approval pursuant to Section 252(e)(2)(A) of TCA-96, 47 U.S.C. §252(e)(2)(A), which provides as follows:

(2) 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[.]”

6. The Agreement does not discriminate against any telecommunications carrier. Other carriers are not bound by the Agreement and remain free to negotiate independently with Telephone Company pursuant to Section 252 of TCA-96.

7. The Agreement is consistent with the public interest, convenience and necessity consistent with Section 252(e)(2)(A)(ii), 47 U.S.C. §252(e)(2)(A)(ii). The Agreement permits Telephone Company and Cingular to interconnect their networks and provide reciprocal transport and termination, benefitting end user customers of both carriers.

IV. APPROVAL OF THE AGREEMENT

8. Under Section 252(e)(4) of TCA-96, 47 U.S.C. §252(e)(4), the Commission has ninety (90) days to approve or reject the Agreement. Telephone Company requests that the Commission approve the Agreement without revision as quickly as possible, consistent with the public interest.

WHEREFORE, The North-Eastern Pennsylvania Telephone Company respectfully requests that the Commission approve this Petition and the attached *Interconnection Agreement pursuant to the Telecommunications Act of 1996*.

Respectfully submitted,

The North-Eastern Pennsylvania Telephone Company

By  _____

Michael L. Swindler
PA Attorney ID No. 43319
D. Mark Thomas
PA Attorney ID No. 15611

Attorneys for
The North-Eastern Pennsylvania Telephone Company

THOMAS, THOMAS, ARMSTRONG & NIESEN
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
(717) 255-7600
(717) 236-8278 (Fax)
E-mail: mswindler@ttanlaw.com
dmthomas@ttanlaw.com

Dated: October 23, 2006

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition for Approval of the :
Interconnection Agreement between :
The North-Eastern Pennsylvania :
Telephone Company and Cingular : Application Docket No. A-_____
Wireless, LLC Under the :
Telecommunications Act of 1996 :

CERTIFICATE OF SERVICE

I hereby certify that I have this 23rd day of October, 2006, served a true and correct copy of the foregoing Petition upon the persons listed below by First Class Mail, postage prepaid:

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

Susan Riley
Sr. Contract Manager
Cingular Wireless
Suite 1520
5565 Glenridge Connector
Atlanta, GA 30342

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



Michael L. Swindler


RECEIVED
2006 OCT 23 PM 4:17
PA PUC
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 27, 2006

SUBJECT: A-311395F7013

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary 

Joint Petition of The North-Eastern Pennsylvania Telephone Company and Cingular Wireless, LLC for Approval of an Interconnection Under Section 252(e) of the Telecommunications Act of 1996.

Attached is a copy of a Joint Petition for Approval of an Interconnection 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 November 11, 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

**DOCUMENT
FOLDER**

DOCKETED
OCT 27 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

Joint Petition of The North-Eastern Pennsylvania Telephone Company and Cingular Wireless LLC for Approval of an Interconnection Under Section 252(e) of The Telecommunications Act of 1996.
Docket Number: A-311395F7013

The North-Eastern Pennsylvania Telephone Company and Cingular Wireless LLC, by its counsel, filed on October 23, 2006, at the Public Utility Commission, a Joint Petition for approval of an Interconnection 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 Cingular Wireless LLC 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.

**DOCUMENT
FOLDER**

BY THE COMMISSION

James J. McNulty

James J. McNulty
Secretary

DOCKETED
OCT 27 2006

RECEIVED LEGISLATIVE REFERENCE BUREAU
OCT 27 PM 1:13
PA. CODE & BULLETIN



THOMAS, THOMAS,
ARMSTRONG & NIESEN

Attorneys and Counsellors at Law

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

ORIGINAL

December 26, 2006

RECEIVED

2006 DEC 26 PM 3:04

PA PUC
SECRETARY'S BUREAU

DOCUMENT
FOLDER

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

In re: Joint Petition of The North-Eastern Pennsylvania Telephone Company and
Cingular Wireless, LLC for Approval of an Interconnection Agreement Under
Section 252(e) of the Telecommunications Act of 1996
Docket No. A-311395F7013

Dear Secretary McNulty:

Please be advised pursuant to Ordering Paragraph 3 of the Commission's Order entered
December 8, 2006, in the above-referenced proceeding, that the Interconnection Agreement filed
on October 23, 2006, was in fact, the true and correct copy of the Interconnection Agreement.
Also enclosed is a CD containing an electronic copy of the Interconnection Agreement in .pdf
format as required by Ordering Paragraph 3 of the Order.

Should you have any questions, please contact the undersigned.

Sincerely,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By 

Michael L. Swindler

Enclosure

cc: Edward E. Tourje (w/o encl.)
Susan Riley (w/o encl.)

061227 Letter.wpd

45