

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners:        Brian J. Moline, Chair  
                                     John Wine  
                                     Robert E. Krehbiel

In the Matter of Paging Interconnection	)	
Agreement by and Between Mobile Radio	)	
Communications, Inc. and Southwestern Bell	)	Docket No. 04-SWBT-615-IAT
Telephone, L.P. d/b/a SBC Kansas Pursuant to	)	Telecom-LEC
Sections 251 and 252 of the	)	
Telecommunications Act of 1996.	)	

**ORDER**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission") for consideration and decision. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

1. On January 15, 2004, Southwestern Bell Telephone, L.P. d/b/a SBC Kansas ("SBC") filed an application for approval of a Paging Facilities and Interconnection Agreement ("Agreement") with Mobile Radio Communications, Inc. ("Mobile Radio").

2. SBC contends that there are no outstanding issues between it and Mobile Radio that need the assistance of mediation or arbitration. SBC indicates further that the Agreement is the result of negotiation and compromise and that implementation of the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any carrier.

3. On February 17, 2004, Commission staff ("Staff") filed a memorandum recommending Commission approval of the Agreement. Staff specifically noted SBC's contention that the Commission has previously approved an identical agreement between SBC and Kar Kall, Inc. in Docket No. 04-SWBT-490-IAT.

4. Staff's memorandum also noted that both SBC and Mobile Radio are registered with the Kansas Secretary of State and are "active and in good standing" with the Secretary's office. Furthermore, Staff noted that Mobile Radio, as a paging entity, is not classified as a public utility and is thus not required to obtain a Certificate of Convenience and Necessity.

5. The Commission finds and concludes that the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The application for approval of a Paging Facilities and Interconnection Agreement between SBC and Mobile Radio should therefore be approved.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The application of Southwestern Bell Telephone, L.P. d/b/a SBC Kansas for approval of a Paging Facilities and Interconnection Agreement under the Telecommunications Act of 1996 with Mobile Radio Communications, Inc. is hereby granted.

B. Any party may file a petition for reconsideration of this order within fifteen days of the date this order is served. If service is by mail, service is complete upon mailing and three days may be added to the above time frame.

C. The Commission retains jurisdiction over the subject matter and parties for the purposes of issuing such further order, or orders, as it may deem necessary.

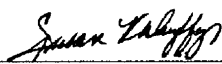
**BY THE COMMISSION IT IS SO ORDERED.**

Moline, Chr.; Wine, Com.; Krehbiel, Com.

Dated: MAR 11 2004

**ORDER MAILED**

MAR 11 2004

  
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Susan K. Duffy  
Executive Director

CRH:cg