

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

In the Matter of the Joint Petition of	)	Docket No. _____
Birch Communications, Inc. and	)	
Birch Telecom of the West, Inc. and Nevada	)	
Bell Telephone Company d/b/a AT&T Nevada	)	
and AT&T Wholesale for Approval of	)	
Interconnection Agreement Pursuant to	)	
Section 252 of the Telecommunications Act of 1996)		

**JOINT PETITION FOR APPROVAL OF INTERCONNECTION AGREEMENT  
PURSUANT TO SECTION 252  
OF THE TELECOMMUNICATIONS ACT OF 1996**

NOW COMES, BIRCH COMMUNICATIONS, INC. AND BIRCH TELECOM OF THE WEST, INC. ("CLEC") and NEVADA BELL TELEPHONE COMPANY D/B/A AT&T NEVADA AND AT&T WHOLESALE<sup>1</sup> ("AT&T Nevada") (CLEC and AT&T Nevada collectively referred to herein as, the "Parties") who hereby apply to this Commission for approval of their Interconnection Agreement attached hereto as Attachment "A" (the "Agreement").

The Parties now submit the Agreement for approval in accordance with the terms of Section 252(e) of The Telecommunications Act of 1996 (TA 1996). The Parties request that the Commission approve the Agreement in accordance with the requirements of Section 252(e) of TA 1996, by determining that the grounds for rejection of such Agreement, set forth in Section 252(e)(2)(A)(i) and Section 252(e)(2)(A)(ii), are not applicable to the Agreement. With respect to Section 252(e)(2) of TA 1996, the Parties assert that the Agreement does not discriminate against any telecommunications carrier not a party to the Agreement. The implementation of the Agreement is consistent with the public interest, convenience, and necessity. The Agreement does not violate any

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<sup>1</sup> Nevada Bell Telephone Company, a Nevada corporation, is now doing business in Nevada as "AT&T Nevada and AT&T Wholesale" and is considered as referenced through the attached agreement/amendment.

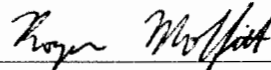
requirement of the Commission, including, but not limited to, quality of service standards adopted by the Commission. The Parties request that the Commission expeditiously approve the Agreement consistent with the intent of TA 1996.

DATED this 13<sup>th</sup> day of February, 2014.

eSigned - Chris Aversano

BIRCH COMMUNICATIONS, INC.  
AND BIRCH TELECOM OF THE  
WEST, INC.

Chris Aversano  
Chief Operating Officer  
2300 Main Street, Suite 340  
Kansas City, MO 64108  
Telephone: (478) 405-3786  
Facsimile: N/A



NEVADA BELL TELEPHONE COMPANY  
D/B/A AT&T NEVADA AND AT&T  
WHOLESALE

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## Draft Notice Application for Applications, Petitions and Complaints

The Commission requires a draft notice be included with all applications, petitions and complaints. See Nevada Administrative Code 703.162. Please include one copy of this form with all the above filings.

- I. Include a title that describes the relief requested, or proceeding scheduled pursuant to Nevada Administrative Code ("NAC") 703.160 (5)(a.)

Joint Petition filing between AT&T Nevada and Birch Communications, Inc. and Birch Telecom of the West, Inc. for approval of an interconnection agreement.

- II. Include the name of the applicant, complainant, petitioner, or the name of the agent for same pursuant to NAC 703.160 (5)(b).

AT&T Nevada and Birch Communications, Inc. and Birch Telecom of the West, Inc.

- III. Include a paragraph with a brief description of the purpose of the filing or proceeding with an introductory statement in plain English understandable to a person of average knowledge and intelligence, that summarizes the relief requested or proceeding scheduled, **AND** its impact upon consumers, pursuant to NAC 704.160 (5)(c).

AT&T Nevada and Birch Communications, Inc. and Birch Telecom of the West, Inc. request that the Public Utilities Commission of Nevada approve a joint petition regarding an interconnection agreement between the two parties.

- IV. A declaration by the applicant, petitioner, or complainant whether a consumer session is required by Nevada Revised Statute ("NRS") 704.069 (1). NAC 703.162 (2)<sup>1</sup>

These changes do not require a consumer session.

- V. If the draft notice pertains to a tariff filing, please include the tariff number and the sections or schedule number(s) being revised.

n/a.

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<sup>1</sup> **NRS 704.069 Commission required to conduct consumer session for certain rate cases; Commission required to conduct general consumer session annually in certain counties.**

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to NRS 704.061 to 704.110, inclusive, in which:

(a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and

(b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant's annual gross operating revenue, whichever is less.

2. In addition to the case-specific consumer sessions required by subsection 1, the Commission shall, during each calendar year, conduct at least one general consumer session in the county with the largest population in this state and at least one general consumer session in the county with the second largest population in this state. At each general consumer session, the Commission shall solicit comments from the public on issues concerning public utilities. Not later than 60 days after each general consumer session, the Commission shall submit the record from the general consumer session to the Legislative Commission.

**CERTIFICATE OF SERVICE**  
**252 Telecommunications Service List**  
**Joint Petition between AT&T Nevada and**  
**Birch Communications Inc. and Birch Telecom of the West, Inc.**  
**Docket No.: 14-xxxxx**

**I hereby certify that I have this day served the foregoing documents upon all parties of record in this proceeding by delivering a copy thereof in person to or by mailing a copy thereof, properly addressed with postage pre-paid, or by electronic transmission to an acceptable location:**

**Via Courier Delivery:**

Public Utilities Commission of Nevada  
Breanne Potter, Asst Commission Secretary  
1150 E William Street  
Carson City, NV 89701

**I hereby certify that I have this day served the foregoing documents upon other parties to negotiations by mailing via U.S. Mail with postage pre-paid to:**

Chris Aversano  
Birch Communications Inc. and  
Birch Telecom of the West, Inc.  
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Public Utilities Commission of  
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9075 W. Diablo Dr., Suite 250  
Las Vegas, NV 89148

Eric Witkoski, Esq.  
Bureau of Consumer Protection  
555 E. Washington St., Ste 3900  
Las Vegas, NV 89101

**I hereby certify that I have this day served Document Available Notice by electronic transmission to an acceptable location to the list established pursuant to NAC 703.296:**

Tammy Cordova  
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**I hereby certify the foregoing documents are being made available for inspection at website Internet address:**

<http://www.att.com/gen/public-affairs?pid=1207>

**The foregoing documents are available in electronic or paper format by sending a request to:**

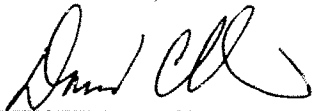
**Paper:**

Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale  
David Collier  
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Reno, Nevada 89502

**Electronic:**

[david.collier@att.com](mailto:david.collier@att.com)

Dated at Reno, Nevada this 18<sup>th</sup> day of February, 2014



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David Collier