

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of)
Southwestern Bell Telephone Company)
d/b/a AT&T Missouri for Approval of an)
Amendment to an Interconnection)
Agreement under the Telecommunications)
Act of 1996.)

Case No. IK-2009-0035

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation respectfully states:

1. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission (Commission) grant approval of the Interconnection Agreement Amendment between Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T) and XO Communications Services, Inc. filed by AT&T under the provisions of the federal Telecommunications Act of 1996.

2. The terms of the amendment to the Agreement do not discriminate against telecommunications carriers not a party to the Agreement and are not against the public interest, convenience or necessity. Pursuant to 47 U.S.C. §252(e), the Commission is to approve an amendment to a negotiated interconnection agreement unless the terms of the amendment discriminate against a telecommunications carrier not a party to the agreement, or implementation of the amendment to the agreement is inconsistent with the public interest, convenience, or necessity.

WHEREFORE, because the terms of the amendment to the agreement satisfy the standard set forth in 47 U.S.C. §252(e), Staff recommends the Commission approve the

amendment and direct the parties to submit any future modifications or amendments to the Interconnection Agreement to the Commission for approval.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz

Senior Counsel

Missouri Bar No. 57128

Attorney for the Staff of the
Missouri Public Service Commission

PO Box 360

Jefferson City, MO 65102

(573) 751-8701 (Telephone)

(573) 751-9285 (Fax)

jennifer.heintz@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 27th day of August 2008.

/s/ Jennifer Heintz

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. **IK-2009-0035**
Party: Southwestern Bell Telephone Company, d/b/a AT&T Missouri
Type of Carrier:
☒ ILEC
☐ CLEC
☐ Wireless

Party: XO Communications Services, Inc.
Type of Carrier:
☐ ILEC
☒ CLEC
☐ Wireless

From: Sara Buyak, Telecommunications Department

<u>William Voight</u>	<u>8-27-08</u>	<u>Jennifer Heinz</u>	<u>8-27-08</u>
Utility Operations Division/Date		General Counsel Office/Date	

Subject: Staff Recommendation for Approval of Interconnection Agreement or Amendment to Interconnection Agreement

Date: August 26, 2008

Date Filed: July 29, 2008

Staff Deadline: September 5, 2008

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted:

- ☐ Interconnection Agreement
- ☒ Amendment not previously approved

The parties submitted the proposed Agreement or Amendment to the Missouri Public Service Commission (Commission) pursuant to the terms of the Telecommunications Act of 1996 (Act). Staff has reviewed the proposed Agreement and believes it meets the limited requirements of the Act. Specifically, the Agreement: 1) does not discriminate against telecommunications carriers not party to the Agreement and 2) is not against the public interest, convenience or necessity. Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission.

☐ The applicants have not submitted a serially numbered copy of the Agreement or Amendment. Staff recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement or Amendment.

☒ Staff has a serially numbered copy of the Agreement or Amendment.

Additional Interconnection Agreement or Amendment Review Items

☒ No applications to intervene filed.

☒ Agreement or Amendment signed by both Parties.

Additional recommendations or special considerations (if any):

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

(☐ No annual report ☐ Unpaid PSC assessment. Amount owed:)

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AFFIDAVIT OF Sara Buyak

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Sara Buyak, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying staff recommendation, and that the facts therein are true and correct to the best of her knowledge and belief.



SARA BUYAK

Subscribed and affirmed before me this 26th day of August 2008.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086



NOTARY PUBLIC