

**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 )  
Interconnection Agreement Under the )  
Telecommunications Act of 1996 )  
)

Case No. IK-2009-0336

**STAFF RECOMMENDATION**

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

1. On March 16, 2009, Southwestern Bell Telephone Company, d/b/a AT&T Missouri, filed an application with the Commission for approval of an interconnection agreement with Commnet Midwest, LLC and approval for an amendment to the interconnection agreement under the provisions of the federal Telecommunications Act of 1996.

2. Section 252(e) of the Act provides that a State commission may only reject a negotiated agreement (or any portion thereof) if it finds that the agreement (or any portion thereof) discriminates against a telecommunications carrier not a party to the agreement or if the implementation of the agreement (or portion) is not consistent with the public interest, convenience, and necessity. 47 U.S.C. § 252(e)

3. In the attached Memorandum, which is labeled Appendix A, the Staff states that the interconnection agreement and amendment do not discriminate against telecommunications carriers not a party to the agreement and are not against the public interest, convenience or necessity.

WHEREFORE, the Staff recommends that the Missouri Public Service Commission approve the interconnection agreement and amendment pursuant to the Act, and direct the parties to submit any further modifications or amendments.

Respectfully submitted,

/s/ William K. Haas

William K. Haas  
Deputy General Counsel  
Missouri Bar No. 28701

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Missouri Public Service Commission  
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#### **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 13th day of April, 2009.

/s/ William K. Haas

## MEMORANDUM

**To:** Missouri Public Service Commission Official Case File  
Case No. **IK-2009-0336**  
Party: AT&T Missouri  
Type of Carrier:  
☒ ILEC  
☐ CLEC  
☐ Wireless

Party: Commnet Midwest, LLC  
Type of Carrier:  
☐ ILEC  
☐ CLEC  
☒ Wireless

**From:** Sara Buyak, Telecommunications Department

William Voight      4-10-09  
Utility Operations Division/Date

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

**Date:** April 9, 2009

**Date Filed:** March 16, 2009

**Staff Deadline:** April 20, 2009

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, paying the PSC assessment, paying Relay Missouri, and paying MoUSF.

☐ No annual report   ☐ Unpaid PSC assessment. Amount owed:  
☐ Unpaid MoUSF   ☐ Unpaid Relay Missouri

The Company is either delinquent or is not shown to be submitting revenue into the indicated fund based on the latest records available to the MoPSC. Failure to submit revenue to either the Relay Missouri Fund or the Missouri USF fund should not necessarily reflect the company is delinquent.

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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 9th day of April 2009



  
NOTARY PUBLIC

CARLA K. SCHNIEDERS  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Cole County  
My Commission Expires: August 25, 2012  
Commission Number: 08533187