

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) **File No. IK-2014-0047**
Interconnection Agreement under the)
Telecommunications Act of 1996 with AT&T Corp.)

ORDER APPROVING AMENDMENTS TO INTERCONNECTION AGREEMENT

Issue Date: September 13, 2013

Effective Date: September 23, 2013

This order approves the amendment to the Interconnection Agreement executed and filed by the parties.

On August 21, 2013, Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T Missouri) and AT&T Corp. filed a joint application with the Commission for approval of amendments to an Interconnection Agreement under the provisions of the Telecommunications Act of 1996.¹ AT&T Missouri and AT&T Corp. currently have a Commission-approved interconnection agreement between them. In the current application, the parties have agreed to amend the interconnection agreement. The amendments would reflect that AT&T Communications of the Southwest, Inc. has changed its name to AT&T Corp. Both AT&T Missouri and AT&T Corp. hold certificates of service authority to provide basic local exchange telecommunications services in Missouri.

¹ See 47 U.S.C. § 251, *et seq.*

The Commission issued an order and notice on August 23, 2013, directing any party wishing to request a hearing to do so no later than September 12, 2013. No requests for hearing were filed.

The Staff of the Commission filed a memorandum and recommendation on August 23, 2013, recommending that the amendments to the Agreement be approved.

Discussion

Under Section 252(e) of the Act, any interconnection agreement adopted by negotiation must be submitted to the Commission for approval. The Commission may reject an agreement if it finds that the agreement is discriminatory or that it is not consistent with the public interest, convenience and necessity.

The Staff memorandum recommends that the amendments to the agreement be approved and notes that the Agreement meets the limited requirements of the Act in that it is not discriminatory against nonparties and is not against the public interest. Staff recommends that the Commission direct the parties to submit any further amendments to the Commission for approval.

Findings of Fact

The Commission has considered the application, the supporting documentation, and Staff's verified recommendation. Based upon that review, the Commission finds that the Agreement meets the requirements of the Act in that it does not discriminate against a nonparty carrier and that implementation of the Agreement is not inconsistent with the public interest, convenience and necessity. The Commission finds that approval of the Agreement shall be conditioned upon the parties submitting any amendments to the Commission for approval pursuant to the procedure set out below.

Amendment Procedure

The Commission has a duty to review all interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.² In order for the Commission's role of review and approval to be effective, the Commission must also review and approve or recognize amendments to these agreements. The Commission has a further duty to make a copy of every interconnection agreement available for public inspection.³ This duty is in keeping with the Commission's practice under its own rules of requiring telecommunications companies to keep their rate schedules on file with the Commission.⁴

The parties to each interconnection agreement must maintain a complete and current copy of the agreement, together with all amendments, in the Commission's offices. Any proposed amendment must be submitted pursuant to Commission rule 4 CSR 240-3.513(6).

Conclusions of Law

The Commission, under the provisions of Section 252(e)(1) of the Telecommunications Act of 1996,⁵ is required to review negotiated interconnection agreements. It may only reject an agreement if it finds that implementing the agreement would be discriminatory to a nonparty or that it is not consistent with the public interest,

² 47 U.S.C. § 252.

³ 47 U.S.C. § 252(h).

⁴ 4 CSR 240-3.545.

⁵ 47 U.S.C. § 252(e)(1).

convenience and necessity.⁶ Based upon its review of the amendments to the Agreement between AT&T Missouri and AT&T Corp. and its findings of fact, the Commission concludes that the Agreement as amended is neither discriminatory nor inconsistent with the public interest and shall be approved.

The Commission notes that prior to providing telecommunications services in Missouri, a party shall possess the following: (1) an interconnection agreement approved by the Commission; (2) except for wireless providers, a certificate of service authority from the Commission to provide interexchange or basic local telecommunications services; and (3) except for wireless providers, a tariff approved by the Commission.

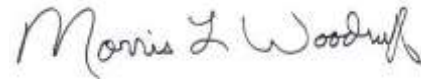
THE COMMISSION ORDERS THAT:

1. The amendments to the Interconnection Agreement of Southwestern Bell Telephone Company, d/b/a AT&T Missouri and AT&T Corp., filed on August 21, 2013, is approved.
2. Any changes or amendments to this Agreement shall be submitted in compliance with 4 CSR 240-3.513(6).

⁶ 47 U.S.C. § 252(e)(2)(A).

3. This order shall become effective on September 23, 2013.
4. This file may be closed on September 24, 2013.

BY THE COMMISSION



Morris L. Woodruff
Secretary



Morris L. Woodruff, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 13th day of September, 2013.