

**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)	Case No. IK-2009-0133
Telecommunications Act of 1996)	

STAFF RECOMMENDATION

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), and for its Recommendation respectfully states as follows:

1. On October 15, 2008, Southwestern Bell Telephone Company, d/b/a AT&T Missouri ("AT&T Missouri") filed with the Commission an Application seeking approval of an amendment to AT&T Missouri's interconnection agreement with New Edge Network, Inc. ("New Edge").

2. Also on October 15, the Commission issued an order that, among other things, made New Edge a party to this case and directed the Staff to file a recommendation concerning this matter no later than November 14, 2008.

3. Section 252(e) of the federal Telecommunications Act of 1996 ("the Act") provides that a State commission may only reject a negotiated interconnection 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).

4. In the attached Memorandum (Appendix A), the Staff states that the agreement does not discriminate against telecommunications carriers not a party to the agreement and is not against the public interest, convenience or necessity.

WHEREFORE, the Staff recommends that the Commission issue an Order approving the amendment pursuant to the Act, and directing the parties to submit any future modifications or amendments.

Respectfully submitted,

/s/ Dennis L. Frey

Dennis L. Frey

Senior Counsel

Missouri Bar No. 44697

Attorney for the Staff of the
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 12th day of November 2008.

/s/ Dennis L. Frey

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. IK-2009-0133
Party: AT&T Missouri
Type of Carrier:
☒ ILEC
☐ CLEC
☐ Wireless

Party: New Edge Network, Inc.
Type of Carrier:
☐ ILEC
☒ CLEC
☐ Wireless

From: Lisa Mahaney, Telecommunications Department

William Voight	11/6/08	Dennis L. Frey	11/6/08
Utility Operations Division/Date		General Counsel Office/Date	

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

Date: November 6, 2008

Date Filed: 10/15/08

Staff Deadline: 11/14/08

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, MoUSF, and Relay Missouri.

☐ 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:
☐ Unpaid MoUSF ☐ Unpaid Relay Missouri)

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Amendment to an Interconnection)
Agreement Under the Telecommunications)
Act of 1996.)

Case No. IK-2009-0133

AFFIDAVIT OF LISA MAHANEY

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Lisa Mahaney, 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 memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.

Lisa Mahaney

LISA MAHANEY

Subscribed and affirmed before me this 7th day of November 2008.



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

Susan Sundermeyer

NOTARY PUBLIC