

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Southwestern Bell Telephone Company d/b/a)
AT&T Missouri's Petition for Compulsory Arbitration of)
Unresolved Issues for an Interconnection Agreement with)
Global Crossing Local Services, Inc. and)
Global Crossing Telemanagement, Inc.)

File No. IO-2011-0057

ORDER REGARDING ISSUES AT CONFERENCE

Issue Date: September 22, 2010

Effective Date: September 22, 2010

The arbitrator is setting forth matters that the parties shall be prepared to address, at the pre-hearing and mark-up conference, in regard to the issues as follows.¹

1. VoIP.

- a. Under ATT's proposed contract language, do switched access charges apply to:
 - i. Interconnected ("fixed location") VoIP calls only?
 - ii. Nomadic VoIP ("VoIP in the middle")?
 - iii. Internet access "calls?"
- b. Does the contract language explicitly and clearly describe any exclusion from switched access charges?
- c. As to Section 392.550.2:²
 - i. Does the proposed contract language comport with that statute?
 - ii. Does ***Minn. PUC v FCC*** have any bearing on that statute?

¹ Scheduled by order dated September 16, 2010.

² RSMo Supp. 2009.

2. Dark fiber limitation.

- a. By what mechanism will AT&T ensure that the CLEC is limited to 25% of unused dark fiber?
- b. If one CLEC leases 25% of the available amount, then another CLEC leases 25%, will the first CLEC be under any obligation to give up part of its leased amount because the available dark fiber is now 50% of what it was?
- c. Is this limitation in other AT&T interconnection agreements?

3. Placement of equipment. Is the equipment described:

- a. Necessary to provide adequate service?
- b. An enhancement to provide advanced services?

Therefore, the arbitrator will order the parties to be prepared to discuss those matters.

THE COMMISSION ORDERS THAT:

1. At the pre-hearing and mark-up conference, the parties shall be prepared to address the matters set forth in the body of this order.
2. This order is effective immediately upon issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

Daniel Jordan, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of September 2010.