

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of CenturyTel Solutions,)
LLC, and CenturyTel Fiber Company II, LLC, doing)
business as LightCore, a CenturyTel Company, for)
Adoption of an Approved Interconnection Agreement) **Case No. LK-2006-0095**
between Southwestern Bell Telephone, LP, doing)
business as SBC Missouri, and Xspedius Management)
Company of Kansas City, LLC, and Xspedius Manage-)
ment Company Switched Services, LLC.)

ORDER DIRECTING NOTICE

Issue Date: September 2, 2005

Effective Date: September 2, 2005

On August 30, 2005, CenturyTel Solutions, LLC, and CenturyTel Fiber Company II, LLC, doing business as LightCore, a CenturyTel Company, filed their Application for Adoption of an Approved Interconnection Agreement, notifying the Commission of their desire to adopt the terms of the interconnection agreement between Southwestern Bell Telephone, LP, doing business as SBC Missouri ("SBC"), and Xspedius Management Company of Kansas City, LLC, and Xspedius Management Company Switched Services, LLC ("Xspedius"), pursuant to § 252(i) of the federal Telecommunications Act of 1996.¹ The Agreement between SBC and Xspedius was approved by the Commission in Case No. TK-2006-0043 by order effective on August 16, 2005.

The Applicants desire to adopt the SBC/Xspedius agreement as their agreement with SBC; however, SBC did not join in the application. The Applicants did not file a

¹ See 47 U.S.C. § 252, *et seq.*

signature page executed by themselves and SBC because, they explain, SBC has refused to sign unless the Applicants are willing to execute a rider, not part of the SBC/Xspedius agreement, that would render the agreement subject to the results of SBC's pending appeal from the Commission's arbitration decision that resulted in the SBC/Xspedius agreement. The Applicants refuse to execute the rider desired by SBC because it would alter the change-of-law provisions of the SBC/Xspedius agreement that the Applicants desire to adopt.

Commission Rule 4 CSR 240-3.513(4)(B) provides that the Commission shall provide notice to SBC of the application and that the proposed adoption shall be deemed approved unless SBC objects within twenty days.

IT IS THEREFORE ORDERED:

1. That Southwestern Bell Telephone, LP, doing business as SBC Missouri, shall file its objection, if any, to the proposed adoption not later than September 22, 2005, or the proposed adoption shall be deemed approved.
2. That this order shall become effective on September 2, 2005.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to Section 386.240,
RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of September, 2005.