

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,) **File No. IK-2009-0336**
for Approval of an Interconnection Agreement)
Under the Telecommunications Act of 1996)

ORDER DIRECTING NOTICE AND MAKING **COMMNET MIDWEST, LLC A PARTY**

Issue Date: March 20, 2009

Effective Date: March 20, 2009

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Commnet Midwest, LLC ("Commnet"), as a party to this proceeding.

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, and approval of an amendment to the interconnection agreement under the provisions of the federal Telecommunications Act of 1996. AT&T Missouri states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest.

Although Commnet is a party to the agreement, it did not join in the application. Because Commnet is a necessary party to a full and fair adjudication of this matter, the Commission will add it as a party to this case.

The Act provides that an interconnection or resale agreement must be approved unless the state commission finds that the agreement discriminates against a

telecommunications carrier not a party to the agreement, or that implementation of the agreement is not consistent with the public interest, convenience, and necessity.¹ Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously. The Commission finds that proper persons shall be allowed 20 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application shall be sent to all interexchange and local exchange telecommunications companies.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. Commnet Midwest, LLC is made a party to this case.
3. Any party wishing to request a hearing shall do so by filing a pleading no later than April 9, 2009 with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Leo J. Bub
AT&T Missouri
One AT&T Center, Room 3518
St. Louis, Missouri 63101

¹ 47 U.S.C. § 252(e).

Commnet Midwest, LLC
Attn: Legal Dept.
400 Northridge Road, Suite 130
Atlanta, Georgia 30350

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. The Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than April 20, 2009.

5. This order shall become effective on March 20, 2009.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Colleen M. Dale, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of March, 2009.