

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

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|---|---|-------------------------------------|
| In the Matter of the Application of Southwestern |) | |
| Bell Telephone Company, d/b/a AT&T Missouri, |) | <u>Case No. IK-2010-0064</u> |
| For Approval of an Amendment to an Interconnection |) | |
| Agreement Under the Telecommunications Act of 1996. |) | |

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and submits its Staff Recommendation as follows:

1. On August 24, 2009, Southwestern Bell Telephone Company, d/b/a AT&T Missouri (“AT&T Missouri” or “the Company”) filed with the Missouri Public Service Commission (“the Commission”) AT&T Missouri’s Application for Approval of an Amendment to an Interconnection Agreement (“Application”), in which AT&T Missouri seeks approval of an amendment to an Interconnection Agreement that was previously executed by and between the Company and Cricket Communications, Inc. (“Cricket”).

2. On August 25, 2009, the Commission issued its Order Directing Notice and Making Cricket Communications, Inc. a Party, directing notice be sent to interexchange and local exchange telecommunications companies, joining Cricket as party to the case, and directing Staff to file a memorandum regarding AT&T Missouri’s Application by September 24, 2009.

3. The statutory standard for review of an interconnection and resale agreement can be found in Section 252(e) of the Telecommunications Act of 1996, which states that an interconnection agreement adopted by negotiation shall be submitted for approval to the state commission, but that the state commission may only reject such agreement if it discriminates

against a telecommunications carrier not a party to the agreement or if its implementation is not consistent with the public interest, convenience, and necessity. 42 U.S.C. § 252(e)(2).

4. In the attached Memorandum, labeled Appendix A, Staff states that the Interconnection Agreement, as amended, does not discriminate against telecommunications carriers not parties to the Interconnection Agreement and that the Interconnection Agreement, as amended, is not against the public interest, convenience or necessity.

5. AT&T Missouri is not delinquent in filing its annual report, or in paying its PSC assessment, or MoUSF and Relay Missouri surcharges.

WHEREFORE, Staff recommends the Commission approve the Application and direct the parties to submit to the Commission any subsequent modifications or additional amendments to the Interconnection Agreement.

Respectfully submitted,

/s/ Eric Dearmont

Eric Dearmont
Assistant General Counsel
Missouri Bar No. 60892

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 23rd day of September, 2009.

/s/ Eric Dearmont

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. **IK-2010-0064**

Party: AT&T Missouri

Type of Carrier:

- ☒ ILEC
☐ CLEC
☐ Wireless

Party: Cricket Communications

Type of Carrier:

- ☐ ILEC
☐ CLEC
☒ Wireless

From: Lisa Mahaney, Telecommunications Department

William Voight 9/21/09
Utility Operations Division/Date

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

Date: 9/21/09

Date Filed: 8/24/09

Staff Deadline: 9/21/09

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, paying Relay Missouri, and paying MoUSF.

☐ No annual report ☐ Unpaid PSC assessment. Amount owed:
☐ Unpaid MoUSF ☐ Unpaid Relay Missouri

The Company is either delinquent or is not shown to be submitting revenue into the indicated fund based on the latest records available to the MoPSC. Failure to submit revenue to either the Relay Missouri Fund or the Missouri USF fund should not necessarily reflect the company is delinquent.

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Act of 1996.)

Case No. IK-2010-0064

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

Subscribed and affirmed before me this 21st day of September 2009.



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



NOTARY PUBLIC