

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

In the Matter of the Approval of the Amendment)
To Interconnection Agreement between Windstream)
Missouri, Inc. and AT&T Communications of the) Case No. _____
Southwest, Inc., Pursuant to Section 252(e) of the)
Telecommunications Act of 1996.)

**APPLICATION FOR APPROVAL OF
AMENDMENT TO INTERCONNECTION AGREEMENT**

COMES NOW Windstream Missouri, Inc., in accordance with Commission Rule 4 CSR 240-3.513(6)(C) and the Commission's September 10, 2009, *Order Approving Interconnection Agreement* entered in Case No. IK-2010-0058, and respectfully files the attached **Amendment No. 1 To The Interconnection Agreement Between Windstream Missouri, Inc. and AT&T Communications of the Southwest, Inc.** ("Amendment") and requests approval of the Amendment pursuant to the federal Telecommunications Act of 1996 (the "Act") under Section 252(e).

1. Windstream Missouri, Inc. is a Missouri corporation duly authorized to conduct business in Missouri, as evidenced by the Certificate of Amendment filed on June 21, 2006 in Case No. IN-2006-0481, and incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). Windstream's principal office is located at 4001 Rodney Parham Road, Little Rock, Arkansas 72212. Windstream is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri as each of those phrases is defined in Section 386.020, RSMo 2000.

2. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Larry W. Dority
Fischer & Dority, P.C.
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

3. Windstream has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

4. As referenced above, the Interconnection Agreement between Windstream and AT&T Communications of the Southwest, Inc. ("AT&T") was approved by the Commission in Case No. IK-2010-0058. Windstream and AT&T have agreed to amend the Agreement to, primarily, include in its entirety the Attachment 2: Resale provisions set forth therein. The seventeen (17) page Amendment is attached hereto as **Exhibit 1**.

5. This Amendment resulted from negotiations between Windstream and AT&T, and there are no outstanding issues between the parties that need the assistance of mediation or arbitration. Windstream seeks the Commission's approval of the Amendment consistent with the provisions of the Act. Windstream believes that the approval and implementation of the Amendment complies fully with Section 252(e) of the Act because it is consistent with the public interest, convenience and necessity, and does not discriminate against any telecommunications carrier. Windstream respectfully requests that the Commission grant approval of this Amendment, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise between Windstream and AT&T.

6. The statutory standards of review are set forth in Section 252(e) of the Act, which provides:

(e) APPROVAL BY STATE COMMISSION

- (1) APPROVAL REQUIRED. – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION. – The State Commission may only reject –
 - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that –
 - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity;

7. The negotiated and executed Amendment is consistent with Missouri Senate Bill 507, which became effective on August 28, 1996.

WHEREFORE, Windstream Missouri, Inc. respectfully requests the Commission to enter an Order approving the attached **Amendment No. 1 To The Interconnection Agreement Between Windstream Missouri, Inc. and AT&T Communications of the Southwest, Inc.**

Respectfully submitted,

/s/ Larry W. Dority

Larry W. Dority, Esq. MBN 25617
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, Missouri 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383
E-mail: lwdority@sprintmail.com

Attorneys for Windstream Missouri, Inc.

VERIFICATION

STATE OF ARKANSAS)
) SS
COUNTY OF PULASKI)

I, Traci Brunner, of lawful age, being first duly sworn upon my oath, state that I am the Staff Manager – Negotiations, Regulatory and Government Affairs, and that I am authorized to make this verification on behalf of Windstream Missouri, Inc.; and that the facts set forth in the foregoing pleading are true to the best of my knowledge, information and belief.

Traci Brunner
(Name)

Subscribed and sworn to before me this 6th day of June, 2011.

Sandra Jean Griffis
Notary Public

My Commission expires:

September 1, 2011



CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered, transmitted by e-mail or mailed, First Class, postage prepaid, this 6th day of June, 2011 to:

Office of the Public Counsel
200 Madison Street
Jefferson City, MO 65101

General Counsel
Missouri Public Service Commission
200 Madison Street
Jefferson City, MO 65101

Leo J. Bub
Robert J. Gryzmala
Attorneys for AT&T Communications
One AT&T Center, Room 3518
St. Louis, MO 63101
leo.bub@att.com
rg1572@att.com

Victoria L. Wright
AT&T Corp.
One AT&T Way
Room 2A115
Bedminster, NJ 07921
vwright@att.com

/s/ Larry W. Dority
Larry W. Dority