

Voice Data Internet Wireless Entertainment

EMBARQ[™]

June 1, 2007

Embarq Mailstop: KSOPKJ0401 5454 West 110th Street Overland Park, KS 66211 EMBARQ.com

Office of the Secretary ATTN: Data Center Missouri Public Service Commission P O. Box 360 200 Madison Street, Suite 650 Jefferson City, Missouri 65102

Re: Amendment No. 1 to The Master Interconnection, Collocation and Resale Agreement By and Between Embarq Missouri, Inc. and 1-800-Reconex, Inc., d/b/a U.S. Tel Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, Case No. TK-2007-2339

Dear Ms. Dale:

Please find attached for filing with the Commission, Amendment No. 1 to the above referenced Interconnection Agreement, which was approved by the Commission on May 1, 2007.

Amendment No. 1 is intended to correct the CLEC name and all references to the CLEC to mean "1-800-Reconex, Inc." There are no outstanding issues involving the limited subject matter of the Amendment that require the assistance of mediation or arbitration.

If you have any questions or comments regarding the Amendment, please do not hesitate to contact me at 913-345-6193.

Very truly yours,

Linda K. Gardner

LG/cc Enclosure

Linda K. Gardner
SENIOR COUNSEL - STATE REGULATORY

Voice: (913) 345-6193 Fax: (913) 523-9837 linda.gardner@embarg.com

BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

In Re: Amendment No. 1 to The Master)
Interconnection, Collocation and Resale) Case No
Agreement By and Between Embarq)
Missouri, Inc. and 1-800-Reconex, Inc.,)
d/b/a U.S. Tel Pursuant to Sections 251 and)
252 of the Telecommunications Act of)
1996	

APPLICATION OF EMBARQ MISSOURI, INC. FOR APPROVAL OF AMENDMENT NO. 1 TO THE INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT

COMES NOW, Embarq Missouri, Inc., d/b/a Embarq ("Embarq") and files its Application for Approval of Amendment No. 1 to the Interconnection, Collocation and Resale Agreement ("Amendment") between 1-800-Reconex, Inc. ("Reconex") and Embarq Missouri, Inc. pursuant to the Telecommunications Act of 1996 (the "Federal Act") and 4 CSR 240.3.513(6). In support of its application, Embarq states the following:

I. <u>APPLICANT</u>

Embarq is a Missouri corporation with offices at 319 Madison, Jefferson City, Missouri 65102. Embarq is authorized to transact business within the State of Missouri and is authorized by the Missouri Public Service Commission ("Commission") to provide basic local and interexchange telecommunications service within the state.

Embarq was originally incorporated in Missouri in 1929 as The United Telephone Company. A restatement of its certification was received in Case No. TA-88-87.

Embarq has received all necessary Commission and Secretary of State approvals for subsequent name changes and is a corporation in good standing in the State of Missouri.

Evidence of proper name registrations was most recently provided to this Commission in Case No. TO-97-53 (Re: United Telephone Company of Missouri's Adoption Notice Designed to Change the Company's Name to United Telephone Company of Missouri d/b/a Sprint), Case No. TO-98-107 (Application of United Telephone Company of Missouri d/b/a Sprint for Approval of Name Change to Sprint Missouri, Inc.) and Case No. TN-2006-0416 (Re Name Change Request of Sprint Missouri, Inc., to Embarq Missouri, Inc., d/b/a Embarq). Embarq requests that the information in those cases be incorporated herein by reference. To Embarq's knowledge there are no overdue assessments or annual reports nor are there any pending actions or final unsatisfied judgments or decisions against it involving customer service or rates occurring within the last three years.

II. AMENDMENT NO. 1 TO THE ORIGINAL INTERCONNECTION, COLLOCATION, AND RESALE AGREEMENT

Embarq presents to the Commission its application pursuant to the terms of the Federal Act. Embarq Missouri, Inc., a Missouri corporation, and 1-800-Reconex, Inc., a Missouri CLEC, entered into an Interconnection, Collocation and Resale Agreement approved by this Commission on May 1, 2007. Embarq and Reconex have agreed to Amendment No. 1 to that Agreement (Attachment 1). The Amendment corrects the name of the CLEC to remove a d/b/a in Missouri. There are no outstanding issues related to the Amendment between the parties that require the assistance of mediation or arbitration.

III. STANDARD FOR REVIEW

The statutory standard of review under Section 252(e) of the Act states:

- (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 to shall approve or reject the agreement, with written findings as to any deficiencies.
 - (2) under subsection (a) if it finds Grounds for Rejection. The State commission may only reject.
 - (A) an agreement (or any portion thereof) adopted by negotiation 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; or...

IV. REQUEST FOR APPROVAL

Embarq seeks the Commission's approval of the Amendment, consistent with the provisions of the Federal Act. Embarq and Reconex believe that the implementation of this Amendment complies fully with Section 252(e) of the Federal Act because the Amendment is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

Embarq and Reconex respectfully request that the Commission grant approval of the Amendment, without change, suspension or other delay in its implementation.

V. <u>CONCLUSION</u>

WHEREFORE, for the foregoing reasons, Embarq requests that the Commission approve Amendment No. 1 to the Master Interconnection, Collocation and Resale Agreement between Embarq Missouri, Inc. and 1-800 Reconex, Inc.

Respectfully submitted,

Linda K. Gardner, MO Bar 32224

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Phone: 913-345-6193 Fax: 913-397-3598

Email: Linda.gardner@Embarq.com

VERIFICATION

I, Linda K. Gardner, an attorney and duly authorized representative of Embarq Missouri, Inc. hereby verify and affirm that I have read the foregoing Application of Embarq Missouri, Inc. For Approval of a Master Interconnection, Collocation and Resale Agreement, and that the statements contained therein are true and correct to the best of my information and belief.

Linda K. Gardner

Subscribed and sworn to before me on this _____ day of June, 2007.

KATHRYN M. MEHRER
STATE OF KANSAS

My Appt. Exp. 10/23/10

Kathry M. Mehrer Notary Public

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this _____ day of June, 2007, a copy of the above and foregoing Application for Approval of a Master Interconnection, Collocation and Resale Agreement was served by U.S. Mail, postage prepaid and or email or facsimile to each of the following:

Office of the Public Counsel Missouri Public Service Commission 200 Madison Street Jefferson City, Missouri 65101

Office of the General Counsel Missouri Public Service Commission 200 Madison Street Jefferson City, Missouri 65101 William Braun Vice-President & General Counsel 1-800 Reconex, Inc. 2500 Industrial Avenue Hubbard, OR 97032

Mistina Clown

Christina Crowe

INTERCONNECTION, COLLOCATION AND RESALE AGREEMENT FOR THE STATE OF MISSOURI

AMENDMENT NO. 1

This Amendment No. 1 ("Amendment"), effective May 1, 2007 is entered into by and between 1-800-Reconex, Inc. ("CLEC") and Embarq Missouri, Inc., ("Embarq"). Embarq and CLEC may be referred to individually as a "Party" and collectively as the "Parties".

WHEREAS, CLEC and Embarq, entered into an Interconnection, Collocation and Resale Agreement dated February 9, 2007 ("Agreement"); and

WHEREAS, CLEC and Embarq desire to modify the Agreement to make certain corrections as described below;

NOW THEREFORE, in consideration of the promises and agreements contained in this Amendment, the Parties agree as follows:

1. GENERAL

- 1.1. The Agreement reflects the CLEC name as "1-800-Reconex, Inc. d/b/a U.S. Tel" and refers to the CLEC by that name on pages 1 and 6.
- 1.2. The Parties agree to correct the CLEC name all references to CLEC to mean "1-800-Reconex, Inc.".
- 1.3. Other than as set forth above, the Agreement remains unchanged and in full force and effect. In the event of a conflict between the terms of the Agreement and this Amendment, this Amendment will control.
- 1.4. This Amendment No. 1 executed by authorized representatives of Embarq and CLEC is made a part of and incorporates the terms and conditions of the Agreement.

IN WITNESS WHEREOF, the Parties have executed this Amendment effective the year and day first written above.

EMBARQ		CLEC	
By:	W Elb	By:	del
Name:	William E. Cheek	Name:	William E. Braun
Title:	President – Wholesale Markets	Title:	Vice President and General Counsel
Date:	5/1/07	Date:	4-23-07