

OF THE STATE OF MISSOURI

In re the Matter of the Application of Universal
Telecom, Inc., for Approval of Resale Agreement
with Illinois Bell Telephone, et al., (Southwestern Bell)

ORDER APPROVING AMENDMENT TO INTERCONNECTION AGREEMENT

Syllabus: This order approves the parties' jointly-accepted amendment to the interconnection agreement.

On April 24, 2002, Universal Telecom, Inc., filed a memorandum with the Missouri Public Service Commission, which stated that the proposed interconnection agreement it also filed was a

Resale Agreement between Universal Telecom, Inc. and Illinois Bell Telephone, Indiana Bell Telephone Company, Inc., Michigan Bell Telephone Company, Nevada Bell Telephone Company, The Ohio Bell Telephone Company, Pacific Bell Telephone Company, The Southern New England Telephone Company, Southwestern Bell Telephone Company, and Wisconsin Bell, Inc., d/b/a Ameritech Wisconsin....

The...Commission [Universal further noted] approved Universal's...Resale Agreement with Southwestern Bell Telephone Company in Case No. TO-2001-454 on April 3, 2001. [Under] the Commission's Order Approving Resale Agreement, Universal...submits this...modified...Resale Agreement for approval....

The federal Telecommunications Act of 1996 provides that an interconnection or resale agreement (and, of necessity, modifications thereto) 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

On May 23, 2002, the Staff of the Missouri Public Service Commission filed a recommendation in which it recommended that the Commission approve the amendment to the Agreement. The Staff concluded that the amendment does not discriminate against telecommunications carriers not a party to the Agreement, and that the amendment is not against the public interest, convenience, or necessity.

Staff also noted that Universal holds both a basic local and an interexchange certificate and that SWBT holds a basic local certificate from the Commission.

Specifically, Staff stated:

The parties submitted the proposed Agreement to the...Commission...[under the] Telecommunications Act of 1996....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 [Universal and SWBT] to submit any modifications or amendments to the Commission for approval....Staff does not have a serially numbered copy of the Agreement and recommends the Commission direct [Universal and SWBT] to submit a serially numbered copy of the Agreement....Universal...requests that, upon Commission approval, this agreement replace the previously approved interconnection agreement between [Universal and SWBT]. Therefore, Staff recommends that the Data Center...be directed to discard the [Universal and SWBT] agreement approved in Case No. TO-2001-454 and replace it with this agreement.

Finally, Staff correctly noted:

The Commission's Order Directing filing in Case No. TK-2002-1050 did not establish an intervention deadline. Notice was not sent to any other telecommunications companies and [SWBT] was not made a party to this case.

¹ 47 U.S.C. 252(e).

The Commission has reviewed the proposed amendment to the interconnection agreement between Universal and SWBT, and finds that it is not against the public interest, convenience or necessity.

The Commission will approve the amendment.

IT IS THEREFORE ORDERED:

1. That the amendment filed May 2, 2002, to the interconnection agreement between Universal Telecom, Inc. and Universal Telecom, Inc. and Illinois Bell Telephone, Indiana Bell Telephone Company, Inc., Michigan Bell Telephone Company, Nevada Bell Telephone Company, The Ohio Bell Telephone Company, Pacific Bell Telephone Company, The Southern New England Telephone Company, Southwestern Bell Telephone Company, and Wisconsin Bell, Inc., d/b/a Ameritech Wisconsin, is approved.

2. That the parties to the interconnection agreement must submit any modifications or amendments to the Commission for approval.

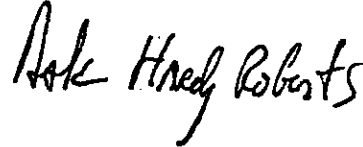
3. That the parties must submit a serially-numbered copy of the interconnection agreement.

4. That the interconnection agreement approved in this case will replace the previously-approved interconnection agreement between the parties, and, thus, the Data Center of the Missouri Public Service Commission must discard the interconnection agreement approved in case number TO-2001-454 and replace it with the interconnection agreement approved in this case.

5. That this case will remain open until the Staff of the Missouri Public Service Commission files a notice in this case that all orders set forth above have been complied with and that the case may be closed.

5. That this order will become effective on June 7, 2002.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

**Dale Hardy Roberts
Secretary/Chief Law Judge**

(SEAL)

Bill Hopkins, Senior Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000,
as currently supplemented.

Dated at Jefferson City, Missouri,
on this 28th day of May, 2002.