

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

OCT 26 2004

Missouri Public
Service Commission

In the matter of the Application of)
SBC Advanced Solutions, Inc.)
for approval of its Successor Interconnection) Case No. _____
Agreement with New Edge Network, Inc.)
d/b/a New Edge Networks under 47 U.S.C. § 252.)

**APPLICATION OF SBC ADVANCED SOLUTIONS, INC.
FOR APPROVAL OF SUCCESSOR INTERCONNECTION AGREEMENT
WITH NEW EDGE NETWORK, INC. d/b/a NEW EDGE NETWORKS**

COMES NOW SBC Advanced Solutions, Inc. ("SBC ASI") and hereby applies for approval by the Missouri Public Service Commission ("Commission") of the accompanying successor Interconnection Agreement voluntarily entered into by SBC ASI and New Edge Network, Inc. d/b/a New Edge Networks ("New Edge Networks"), pursuant to the federal Telecommunications Act ("Act") under 47 U.S.C. § 252(e).

1. SBC ASI is a wholly-owned subsidiary of SBC Communications, Inc. The legal name and principal office or place of business of SBC ASI is:

SBC Advanced Solutions, Inc.
1010 N Saint Mary's
San Antonio, Texas 78215
Telephone: (210) 246-8600
Facsimile: (210) 246-8699

2. SBC ASI is a Delaware Corporation, authorized to do business in the state of Missouri. Copies of SBC ASI's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State and SBC ASI's Articles of Incorporation were filed in Re SBC Advanced Solutions, Inc. Application for a Certificate of Service Authority to Provide Advanced

Telecommunications within the State of Missouri, Case No. TA-2000-260, and are incorporated herein by reference. Pursuant to the Commission's Order Approving Interexchange And Non-Switched Local Exchange Certificate Of Service Authority in Case No. TA-2000-260, SBC ASI provides telecommunications service in Missouri. All correspondence, communications, and orders and decisions of the Commission should be sent to:

Larry W. DORITY
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, Missouri 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383

3. SBC ASI 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.

In support of this Application, SBC ASI states the following:

I. INTERCONNECTION AGREEMENT REACHED

Pursuant to the *Order Approving Interconnection Agreement* issued in Case No. TO-2002-257 on January 9, 2002, the parties' previous Interconnection Agreement (8-State) was approved by this Commission.

SBC ASI now presents to this Commission for approval, a successor Interconnection Agreement (13-State) that was negotiated and executed pursuant to the terms of the Act. Following good faith negotiations to address all of the complex issues involved in such an agreement, the parties signed the Interconnection Agreement between SBC ASI and New Edge Networks on October 11, 2004, and hereby file the Agreement, together with one pricing

schedule incorporated therein. There are no outstanding issues between SBC ASI and New Edge Networks that need the assistance of mediation or arbitration.

II. REQUEST FOR APPROVAL

SBC ASI seeks the Commission's approval of the Agreement, consistent with the provisions of the Act. SBC ASI believes that the implementation of this Agreement complies fully with Section 252(e) of the Act because the Agreement is consistent with the public interest, convenience and necessity, and does not discriminate against any telecommunications carrier. The Agreement promotes interconnectivity and diversity in providers, and will increase customer choices for telecommunications services.

SBC ASI respectfully requests that the Commission grant expeditious approval of this Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise between SBC ASI and New Edge Networks.

III. STANDARD FOR REVIEW

The statutory standards of review are set forth in Section 252(e) of the Act with 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 –

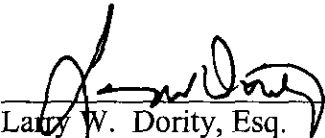
- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity;

IV. MISSOURI LEGISLATION

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

WHEREFORE, SBC Advanced Solutions, Inc. respectfully requests the Commission to enter an Order approving its Interconnection Agreement.

Respectfully submitted,



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

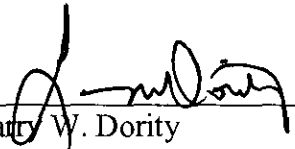
Attorneys for Applicant SBC Advanced Solutions,
Inc.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, First Class, postage prepaid, this 26th day of October, 2004, to:

Office of the Public Counsel
P.O. Box 360
Jefferson City MO 65102

Dana Joyce
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City MO 65102



Larry W. Dority

COUNTY OF DALLAS:

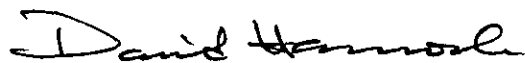
STATE OF TEXAS:

AFFIDAVIT OF DAVID G. HAMMOCK

Before me, the Undersigned Authority, on this 13th day of October, 2004, personally appeared David G. Hammock who, upon being by me duly sworn on oath deposed and said the following:

1. My name is David G. Hammock. I am over the age of 21, of sound mind and competent to testify to the matters stated herein. I am responsible for SBC Advanced Solutions, Inc.'s negotiation and execution of Interconnection Agreements with other telecommunication providers. I have personal knowledge of the 13-State Interconnection Agreement (the "Agreement") between SBC Advanced Solutions, Inc. ("SBC-ASI") and New Edge Networks ("CLEC"). The parties have negotiated diligently under the Federal Telecommunications Act of 1996 ("FTA"), culminating in an executed Agreement by the parties on 10/11/04 and 10/8/04, respectively.
2. The Agreement together with its appendices and attachments incorporated therein are an integrated package and are the result of good faith negotiation and compromise. The Agreement between SBC-ASI and CLEC is in the public interest and comports with the relevant requirements of state law.
3. I am not aware of any provision of this Agreement that discriminates against a telecommunications carrier that is not a party to this Agreement. The terms of this Agreement are available to any similarly situated local service provider in negotiating a similar Agreement.
4. I am not aware of any outstanding issues between the parties that need the assistance of mediation or arbitration at this time.

Further Affiant sayeth not.



David G. Hammock
Regional Vice President - Carrier / Supplier
Management

Sworn and Subscribed to before me this 13th day of October, 2004, to certify which witness my hand.

Rachael M. Bailey
Notary Public in and for the State of Texas

My Commission expires:

cc: Adam McKinney

