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December 16, 2002

FILED³

DEC 16 2002

Missouri Public
Service Commission

Missouri Public Service Commission
Attn: Secretary of the Commission
200 Madison Street, Suite 100
P. O. Box 360
Jefferson City, MO 65102-0360

RE: Application of Xspedius Management Co. Switched Services, L.L.C., and
Xspedius Management Co. of Kansas City, L.L.C., for Approval of
Interconnection Agreement

Dear Secretary:

Enclosed please find an original and five copies of the Application of Xspedius Management Co. Switched Services, L.L.C., and Xspedius Management Co. of Kansas City, L.L.C. (Applicants) for Approval of Interconnection Agreement for filing with the Commission. This Application requests approval of an Interconnection Agreement between Applicants and Southwestern Bell Telephone Company. The original and 1 copy of the Interconnection Agreement and Amendment are also provided. A diskette copy is not available, to my knowledge.

Thank you for your assistance. Copies are being served on the General Counsel, Public Counsel and counsel for Southwestern Bell Telephone Company. Please contact me at 634-8109 if there are any questions.

Sincerely,


Mary Ann (Garr) Young

Enclosure

cc: General Counsel
Office of Public Counsel
SWBT Legal Department (w/o agreement)

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

DEC 16 2002

Application of

Xspedius Management Co.
Switched Services, L.L.C. and
Xspedius Management Co. of
Kansas City, L.L.C.

for Approval of an Interconnection
Agreement Under the
Telecommunications Act of 1996

Missouri Public
Service Commission

Case No. _____

APPLICATION FOR APPROVAL OF INTERCONNECTION AGREEMENT

COME NOW Xspedius Management Co. Switched Services, L.L.C., and Xspedius Management Co. of Kansas City, L.L.C., (Applicants), by their undersigned counsel, and hereby file their Application for Approval of an Interconnection Agreement (Agreement) between Applicants and Southwestern Bell Telephone Company (SWBT) under the Telecommunications Act of 1996 (1996 Act). In support of this Application, Applicants state as follows:

I. THE PARTIES

Applicants are competitive telecommunications carriers authorized to provide basic local exchange, local exchange and interexchange telecommunications services by the Commission. Applicant Xspedius Management Co. Switched Services, L.L.C. was granted basic local service authority in the Commission's Order Granting Temporary Certificate of Service Authority dated July 9, 2002, in Case No. CA-2002-1153. Applicant Xspedius Management Co. of Kansas City, L.L.C., was granted local exchange and interexchange authority in the Commission's Order Granting Temporary Certificate of

Service Authority dated July 9, 2002, in Case No. XA-2002-1154. Documentation evidencing Applicants' authority to transact business in Missouri from the Secretary of State's Office was filed with the Commission in Case Nos. CA-2002-1153 and XA-2002-1154, and that documentation is incorporated herein by reference pursuant to 4 CSR 240-2(1)(G). Applicants are limited liability companies formed under the laws of Delaware with their principal place of business at 5555 Winghaven Blvd., O'Fallon, MO 63366. SWBT is an incumbent local exchange carrier authorized to provide basic local exchange telephone service in Missouri; it maintains its principal offices in Missouri at One Bell Center, Suite 4210, St. Louis, MO 63101.

Applicants herein state, in accordance with 4 CSR 240-2.060 (1) (K), that there are no pending actions or final unsatisfied judgments or decisions against Applicants in any state, federal agency, or court which involve customer service or rates for which action, judgment, or decision has occurred within three (3) years of the date of this Application. Pursuant to 4 CSR 240-2.060 (1) (L), Applicants hereby state that the Companies do not have any overdue annual reports or fees owed to the Missouri Public Service Commission.

II. INTERCONNECTION AGREEMENT REACHED

Applicants present to this Commission for approval an Interconnection Agreement entered into between SWBT and Applicants, executed pursuant to the terms of the 1996 Act. A copy of the Agreement is provided as Exhibit A. This agreement is a negotiated contract and is based upon the terms of SWBT's current agreement with AT&T, including Amendments to the AT&T/SWBT agreement, which have previously been approved by the Commission. Only the reciprocal compensation terms differ from the AT&T agreement. The amendments to the AT&T/SWBT agreement are located at the end of the Agreement.

The Agreement with Amendments was executed by Applicants on October 17, 2002, and by SWBT on October 28, 2002. There are no outstanding issues between Applicants and SWBT that need the assistance of mediation or arbitration.

III. REQUEST FOR APPROVAL

Applicants seek the Commission's approval of the Agreement, consistent with the provisions of the 1996 Act and Missouri law. The implementation of this Agreement complies fully with Section 252(e) of the Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

Applicants respectfully request 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 negotiations and compromise between the parties.

IV. STANDARD FOR REVIEW

The statutory standards of review are set forth in Section 252(e) of the Federal Act which provides as follows:

(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.

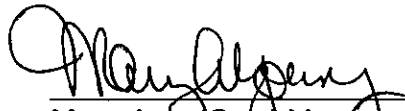
V. MISSOURI LAW

The executed Agreement is consistent with Missouri Law.

VI. CONCLUSION

WHEREFORE, Applicants respectfully request that the Commission approve the Interconnection Agreement as soon as possible.

Respectfully submitted,

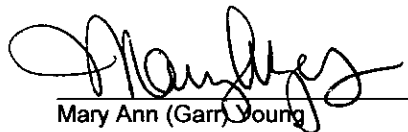


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Counsel for Xspedius Management Co.
Switched Services Xspedius Management Co. of
Kansas City, Xspedius Management Co. of
Kansas City, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was hand-delivered or mailed by first class mail, postage prepaid, to the Office of Public Counsel, the General Counsel's office counsel for Southwestern Bell Telephone Company this 16th day of December 2002.



Mary Ann (Garr) Young