

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

Application of XO Communications Services, Inc.,     )  
f/k/a XO Missouri, Inc., and Allegiance Telecom of     )  
Missouri, Inc., for Approval of an Amendment to its     ) **Case No. TK-2005-0465**  
Interconnection Agreements with Southwestern     )  
Bell Telephone, L.P., d/b/a SBC Missouri, Pursuant     )  
to §252(e) of the Telecommunications Act of 1996.     )

**ORDER DIRECTING NOTICE AND MAKING**  
**SBC MISSOURI A PARTY**

Issue Date: June 7, 2005

Effective Date: June 7, 2005

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Southwestern Bell Telephone, L.P. d/b/a SBC Missouri, as a party to this proceeding.

On June 2, 2005, XO Communications Services, Inc., f/k/a XO Missouri, Inc., and Allegiance Telecom of Missouri, Inc., filed an application for approval of its Interconnection Agreement with Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, under the provisions of the federal Telecommunications Act of 1996. Applicants state that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest.

Although SBC Missouri is a party to the agreement, it did not join in the application. Because SBC Missouri is a necessary party to a full and fair adjudication of this matter, the Commission will add SBC Missouri as a party to this case.

The Act provides that an interconnection agreement 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.<sup>1</sup> Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with the case expeditiously. The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

**IT IS THEREFORE ORDERED:**

1. That the Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. That Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, is made a party to this case.
3. That any party wishing to request a hearing shall do so by filing a pleading no later than June 27, 2005, with:

Colleen M. Dale, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

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<sup>1</sup> 47 U.S.C. §252(e).

and send copies to:

Carl J. Lumley  
Curtis, Heinz, Garrett & O'Keefe, PC  
130 S. Bemiston, Suite 200  
Clayton, Missouri 63105,

Leo J. Bub  
Southwestern Bell Telephone, L.P.  
d/b/a SBC Missouri  
One SBC Center, Room 3518  
St. Louis, Missouri 63101

and:

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than July 7, 2005.

5. That this order shall become effective on June 7, 2005.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Kennard L. Jones, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 7th day of June, 2005.