

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application for Approval)	
of an Amendment to the Interconnection)	
Agreement between XO Communications)	<u>Case No. TK-2007-0182</u>
Services, Inc., and Southwestern Bell)	
Telephone, L.P. d/b/a AT&T Missouri)	

ORDER DIRECTING NOTICE AND MAKING
SOUTHWESTERN BELL TELEPHONE, L.P.
D/B/A AT&T MISSOURI A PARTY

Issue Date: November 9, 2006

Effective Date: November 9, 2006

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

On November 7, 2006, XO Communications Services, Inc. filed an application with the Commission for approval of an amendment to the interconnection agreement with AT&T Missouri under the provisions of the federal Telecommunications Act of 1996. XO states that there are no unresolved issues and that the amendment complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest. XO requests the Commission approve the amendment, without change, suspension or other delay in its implementation.

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

The Act provides that an interconnection or resale 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.¹ 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 this case expeditiously. The Commission finds that proper persons shall be allowed 20 days from the issuance of this order to file a motion for rehearing. The Commission also finds that notice of this application shall be sent to all interexchange and local exchange telecommunications companies.

IT IS ORDERED THAT:

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri is made a party to this case.
3. Any party wishing to request a hearing shall do so by filing a pleading no later than November 29, 2006, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

and send copies to:

Carl J. Lumley
Curtis, Heinz, Garrett & O'Keefe, P.C.
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105

¹ 47 U.S.C. § 252(e).

Legal Department
Southwestern Bell Telephone, L.P.
One AT&T Center, Room 3520
St. Louis, Missouri 63101

and:

Office of the Public Counsel
P. O. Box 2230
Jefferson City, Missouri 65102

4. The Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefore no later than December 11, 2006.

5. This order shall become effective on November 9, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(SEAL)

Colleen M. Dale, Chief Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of November, 2006.