

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 14th day  
of July, 2005.

Southwestern Bell Telephone, L.P., d/b/a SBC Missouri's )  
Petition for Compulsory Arbitration of Unresolved Issues ) **Case No. TO-2005-0336**  
for a Successor Interconnection Agreement to the )  
Missouri 271 Agreement ("M2A"). )

**ORDER EXTENDING FILING DEADLINE  
AND AMENDING INTERCONNECTION AGREEMENTS  
BY INTERLINEATION**

Issue Date: July 14, 2005

Effective Date: July 14, 2005

On July 13, 2005, the parties herein jointly moved the Commission to (1) extend the filing deadline for conforming interconnection agreements from 4:00 p.m. on July 13, 2005, to 5:00 p.m. on August 3, 2005; and (2) approve an amendment by interlineation, without requiring any applications or other pleadings beyond this Joint Motion, of each Missouri 271 Agreement ("M2A") based interconnection agreement of the CLEC parties and those other carriers that are party to a Memorandum Of Understanding ("MOU") with SBC Missouri by which the carrier has agreed to adopt one of the interconnection agreements approved in this proceeding, that extends the expiration date of their respective current interconnection agreements from July 19, 2005, until August 10, 2005.

In support of this motion, the parties state that it is not possible to meet the previously established deadline for filing conforming interconnection agreements. The parties state that they only received the Commission's Arbitration Order on the afternoon of

July 11 and that they will not have conformed agreements ready by July 13. They state that they need three additional weeks to work with SBC Missouri to prepare and file conforming agreements, in light of the number of contracts and issues involved, prior delays in this proceeding, and the requirements of similar proceedings pending in other states. The parties note that the Commission has authority to change the filing deadline under 4 CSR 240-36.050(1).

In order to avoid any disruption of service, the parties agree that the Commission should preserve the status quo pending submission and approval of the conforming agreements by approving an amendment by interlineation to each M2A-based interconnection agreement of the CLECs and carriers that are party to a MOU with SBC Missouri which extends the expiration date thereof from July 19, 2005, until August 10, 2005, for each respective CLEC and MOU participant. The parties state that the Commission has authority to approve such amendments under 4 CSR 240-3.513(6). The CLECs contend that there is good cause for the Commission to waive any and all other required filings regarding such amendments, including under 4 CSR 240-2.060 and 3.513, pursuant to its authority under 4 CSR 240-2.060(4). The circumstances do not afford adequate time for the preparation of formal applications and related documentation, nor do they require such formalities given the nature of the proposed amendment. The parties assert that it is imperative that the Commission preserve the status quo and not allow the disruption to a major segment of the Missouri telecommunications market that would result from a premature expiration of M2A-based agreements. No public utility will be affected by the requested waivers other than the CLECs identified herein.

Having considered the matters raised by the parties in their joint motion, the Commission will grant the same.

**IT IS THEREFORE ORDERED:**

1. That the parties shall file their conformed interconnection agreements by 5:00 p.m. on August 3, 2005.

2. That the current interconnection agreements between SBC Missouri and the carriers set out below are hereby amended by interlineation to provide that they shall not expire until August 10, 2005. The carriers affected are: Big River Telephone Company, LLC, Birch Telecom of Missouri, Inc., ionex communications, Inc., NuVox Communications of Missouri, Inc., Socket Telecom, LLC, XO Communications Services, Inc., and Xspedius Communications, LLC, AT&T Communications of the Southwest, TCG St. Louis and TCG Kansas City, Inc., MCImetro Access Transmission Services, LLC, Sprint Communications Company L.P., Wiltel Local Network, LLC, Charter Fiberlink-Missouri, LLC, Navigator Telecommunications, LLC, AccuTel of Texas, Inc., ACN Communications Services, Inc., Affordaphone, Inc., American Fiber Network, Inc., American Fiber Systems, Inc., BasicPhone, Inc., Budget Phone, Inc., Cbeyond Communications, LLC, CenturyTel Solutions, LLC, Chariton Valley Telecom Corporation, Comm South Companies, Inc., Davidson Telecom, LLC, DSLnet Communications, LLC, Empire District Industries, Inc., Ernest Communications, Inc., Everest Midwest Licensee, LLC, Excel Telecommunications, Inc., ExOp of Missouri, Inc., Fidelity Communications Services III, Inc., Local Line America, Inc., McLeod USA Telecommunications, Inc., Missouri Network Alliance, LLC, Missouri Telecom, Inc., New Edge Network, Inc., Nexus Communications, Inc., NOW Intermedia, Inc., PNG Telecommunications, Inc., Preferred Carrier Services, Inc., Qwest Communica-

tions Corporation, Sage Telecom, Inc., Southern Telcom Network, Inc., Talk America, Inc., Tele-Reconnect, Inc., VarTec Telecom, Inc., Western Communications, Inc. (Logix), Z-Tel Communications, Inc. (TRINSIC), CD Telecommunications, LLC, Cinergy Communications Company, Ren-Tel Communications, Inc., The Phone Connection, Inc., ICG Telecom Group, Inc., FamilyTel of Missouri, LLC, TruComm Corporation, and The Pager Company.

3. That the amendments referred to above are approved.
4. That this order shall become effective on July 14, 2005.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton,  
and Appling, CC., concur.

Thompson, Deputy Chief Regulatory Law Judge