

**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 an Approval of)
an Amendment to its Interconnection)
Agreements with Southwestern Bell Telephone,)
L.P., d/b/a SBC Missouri, Pursuant to §252(e))
of the Telecommunications Act of 1996.)

Case No. TK-2005-0465

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and for its recommendation states:

1. In this case, the parties notify the Commission of their desire to update their Superseding Amendment filed on September 15, 2004 by entering into a Further Amendment, signed by the parties in March and April of 2005.

2. In the attached Memorandum, which is labeled Appendix A, Staff recommends that the Commission approve this Further Amendment prospectively. The Commission's review of the amendment is pursuant to 47 U.S.C. 252 (e), which provides that the Commission may reject an agreement if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement or is not consistent with the public interest, convenience and necessity. The Staff states that the Further Amendment does not discriminate against telecommunications carriers not party to the agreement and is not against the public interest, convenience or necessity, and thus recommends approval of the Further Amendment.

WHEREFORE, the Staff recommends that the Commission approve this Further Amendment prospectively and direct the parties to submit any modifications or amendments.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Mary E. Weston

Mary E. Weston
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7th day of July 2005.

/s/ Mary E. Weston

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. **TK-2005-0465**
Party: XO Communications Services, Inc. and
Allegiance Telecom of Missouri, Inc.
Type of Certification:
☐ None
☒ Basic Local
☒ Local (restricted to private line)
☐ Local (no restrictions)
☒ Interexchange

Party: Southwestern Bell Telephone, L.P. d/b/a SBC Missouri
☐ None
☒ Basic Local
☐ Local (restricted to private line)
☐ Local (no restrictions)
☐ Interexchange

From: Sherri Kohly, Telecommunications Department

William L. Voight 07/05/05	William K. Haas 07/05/05
Utility Operations Division/Date	General Counsel Office/Date

Subject: Staff Recommendation for Approval of Amendment to Interconnection Agreement

Date: July 5, 2005

Date Filed: June 2, 2005 **Staff Deadline:** July 7, 2005

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted (may check more than one):

- ☐ Resale Agreement
- ☐ Facilities-based Interconnection Agreement
- ☒ Interconnection Agreement Amendment addressing certain intervening law, compensation, interconnection and trunking provisions. Staff recommends that the Commission approve the amendment prospectively only.

The parties submitted the proposed Agreement to the Missouri Public Service Commission (Commission) pursuant to the terms of the Telecommunications Act of 1996 (Act). Staff has reviewed the proposed Agreement and believes it meets the limited requirements of the Act. Specifically, the Agreement: 1) does not discriminate against telecommunications carriers not party to the Agreement and 2) is not against the public

interest, convenience or necessity. Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission for approval.

- ☐ Staff does not have a serially numbered copy of the Agreement and recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement.
- ☒ Staff has a serially numbered copy of the Amendment.

Interconnection Agreement Review Items

- ☒ No applications to intervene filed.
- ☒ Amendment to the Interconnection Agreement is signed by both Parties.
- ☒ The Companies are not delinquent in filing an annual report and paying the PSC assessment.
- ☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.
- (☐ No annual report ☐ Unpaid PSC assessment. Amount owed:)

Is there an attachment to this recommendation indicating any recommendations or special considerations: ☐ Yes ☒ No