

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 Covad Communications Company and)	<u>Case No. TO-2006-0216</u>
Southwestern Bell Telephone, L.P., d/b/a)	
SBC Missouri.)	

ORDER DIRECTING NOTICE AND MAKING
COVAD COMMUNICATIONS COMPANY A PARTY

Issue Date: December 5, 2005

Effective Date: December 5, 2005

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Covad Communications Company, as a party to this proceeding.

On November 22, 2005, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri, filed an application with the Commission for approval of an amendment to its interconnection agreement with Covad under the provisions of the federal Telecommunications Act of 1996. SBC Missouri states that there are no unresolved issues and 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. SBC Missouri requests expeditious approval of the agreement.

Although Covad is a party to the agreement, it did not join in the application. Because the company is a necessary party to a full and fair adjudication of this matter, the Commission will add Covad 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 hearing. The Commission also finds that notice of this application shall 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 Covad Communications Company 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 December 27, 2005, with:

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

¹ 47 U.S.C. § 252(e).

and send copies to:

Paul G. Lane
Leo J. Bub,
Robert J. Gryzmala
Mimi B. MacDonald
Southwestern Bell Telephone, L.P.,
d/b/a SBC Missouri
One SBC Center, Room 3518
St. Louis, Missouri 63101

Jason Wakefield
Covad Communications Company
100 Congress Avenue, Suite 2000
Austin, Texas 78701

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 January 4, 2006.

5. That this order shall become effective on December 5, 2005.

(S E A L)

BY THE COMMISSION

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

Colleen M. Dale
Secretary

Nancy Dippell, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of December, 2005.