

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application for Approval of an)
Amendment to an Interconnection Agreement by)
and between Southwestern Bell Telephone, L.P.,) **Case No. TK-2006-0344**
d/b/a/ AT&T Missouri, and Xspedius Management)
Co. Switched Services, L.L.C. and Xspedius)
Management Co. of Kansas City, L.L.C.)

ORDER DIRECTING NOTICE AND MAKING
XSPEDIUS MANAGEMENT CO. SWITCHED SERVICES, L.L.C., AND
XSPEDIUS MANAGEMENT CO. OF KANSAS CITY, L.L.C., A PARTY

Issue Date: March 6, 2006

Effective Date: March 6, 2006

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Xspedius Management Co. Switched Services, L.L.C. and Xspedius Management Co. of Kansas City, L.L.C., as a party to this proceeding.

On March 2, 2006, Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, filed an application with the Commission for approval of an amendment to an interconnection agreement with Xspedius under the provisions of the federal Telecommunications Act of 1996. AT&T Missouri states that the Commission approved its interconnection agreement with Xspedius in Case No. TK-2006-0043. AT&T Missouri states that the purpose of the proposed amendment is to withdraw "Attachment 12: Intercarrier Compensation" and to substitute a newly negotiated attachment by the same name.

Although Xspedius is a party to the agreement, it did not join in the application. Because Xspedius 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 hearing. 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. Xspedius Management Co. Switched Services, L.L.C., and Xspedius Management Co. of Kansas City, L.L.C., 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 March 27, 2006, 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:

Robert J. Gryzmala, Esq.
One SBC Center, Room 3516
St. Louis, Missouri 63101
Attorney for Southwestern Bell Telephone, L.P., d/b/a AT&T
Missouri

Bill Magness, Esq.
98 San Jacinto Blvd., Ste. 1400
Austin, Texas 78701-4286
Attorney for Xspedius Management Co. Switched Services, L.L.C.
and Xspedius Management Co. of Kansas City, L.L.C.

and:

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

4. The Staff of the Commission shall file a memorandum advising either approval or rejection of this amendment and giving the reasons therefor no later than April 5, 2006.

5. This order shall become effective on March 6, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 6th day of March, 2006.