

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application for)	
Approval of Adoption of and)	
Amendments to the Interconnection)	
Agreement between DIECA)	
Communications, Inc., d/b/a Covad)	Case No. TK-2008-0264
Communications Company and)	
Southwestern Bell Telephone, L.P. d/b/a)	
AT&T Missouri)	

STAFF RECOMMENDATION

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

1. On February 13, 2008, DIECA Communications, Inc., d/b/a Covad Communications Company (Covad) filed a Notice of Adoption of and Amendments to Interconnection Agreement, seeking Commission approval for adoption of the terms of the Interconnection Agreement between AT&T Missouri and NuVox Communications of Missouri, Inc. (NuVox), pursuant to Section 252(i) of the Federal Telecommunications Act of 1996.

2. The Agreement between AT&T and NuVox was approved in Commission Case No. TK-2006-0072.

3. Covad stated that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act because it is not discriminatory to nonparty carriers and it is consistent with the public interest.

4. Even though AT&T is a party to the agreement, it did not join in the application, therefore, the Commission joined AT&T as a party on February 19, 2008 in order to ensure a full and fair adjudication of this matter.

5. The federal Telecommunications Act of 1996 provides that an interconnection or resale agreement must be approved unless the Commission determines that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is inconsistent with the public interest, convenience, or necessity.

6. The Staff of the Missouri Public Service Commission has reviewed the proposed agreement and prepared a memorandum, attached hereto as Appendix A.

7. In its memorandum, Staff states that it believes that the proposed agreement meets the limited requirements of the Telecommunications Act of 1996.

8. Specifically, Staff believes that the proposed agreement does not discriminate against telecommunications carriers not a party to the agreement, and the proposed agreement is not against the public interest, convenience, or necessity.

9. Furthermore, Staff recommends that the Commission direct the parties to submit any modifications or amendments to the Commission.

WHEREFORE, the Staff recommends that the Commission approve the interconnection agreement and find that the proposed agreement does not discriminate against telecommunications carriers not a party to the agreement, and the proposed agreement is not against the public interest, convenience, or necessity. Staff further recommends that the Commission direct the parties to submit any modifications or amendments to the Commission.

Respectfully submitted,

/ **Blane Baker**

Blane Baker

Missouri Bar No. 58454

Attorney for the Staff of the
Missouri Public Service Commission
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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 14th day of March 2008.

/ Blane Baker

Blane Baker

To: Missouri Public Service Commission Official Case File

Case No.: **TK-2008-0264**

Party: **Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri (AT&T)**

Type of Carrier: ☒ Incumbent Local Exchange Carrier (ILEC)
☐ Competitive Local Exchange Carrier (CLEC)
☐ Wireless Carrier (CMRS)

Party: **DIECA Communications, Inc., d/b/a Covad Communications Company (Covad)**

Type of Carrier: ☐ Incumbent Local Exchange Carrier (ILEC)
☒ Competitive Local Exchange Carrier (CLEC)
☐ Wireless Carrier (CMRS)

From: Arthur P. Kuss

Telecommunications Department

Wm L Voight 03/11/08

Utility Operations Division/Date

Blane Baker 3/12/08

General Counsel's Office/Date

Subject: Staff Recommendation for Approval of Adoption and Amendments to an Interconnection Agreement

Date: March 11, 2008

Date Filed: February 13, 2008

Staff Deadline: March 20, 2008

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted:

- ☒ Interconnection Agreement
- ☒ Amendment Not Previously Approved

The Parties submitted the proposed Agreement or Amendment 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.

- ☐ The Applicants have not submitted a serially numbered copy of the Agreement or Amendment. Staff recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement or Amendment.
- ☒ Staff has a serially numbered copy of the Agreement or Amendment.

Additional Interconnection Agreement or Amendment Review Items

- ☒ No applications to intervene have been filed. Intervention Deadline: March 10, 2008
- ☒ The Agreement or Amendment has been signed by both Parties.

Additional Recommendations or Special Considerations (if any):

Annual Report & Assessment Information

- ☒ The Parties are not delinquent in filing Annual Reports or paying PSC Assessments.
- ☐ A Party is delinquent. Staff recommends the Commission grant the requested relief/action on the condition that 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:

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d/b/a Covad Communications Company and)
Southwestern Bell Telephone, L.P. d/b/a AT&T)
Missouri.)

STATE OF MISSOURI)
) SS:
COUNTY OF COLE)

Arthur P. Kuss
Arthur P. Kuss

Subscribed and affirmed before me this 11th day of March, 2008.
I am commissioned as a Notary Public within the County of Callaway, State of Missouri
and my commission expires on September 21, 2010



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086

Susan S. Sundermeier
NOTARY PUBLIC