

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF SOUTHWESTERN BELL )  
TELEPHONE, L.P., d/b/a SBC OKLAHOMA )  
SEEKING APPROVAL OF AN AMENDMENT )  
TO THE INTERCONNECTION AGREEMENT )  
BETWEEN SOUTHWESTERN BELL AND )  
SAGE TELCOM )

CAUSE NO. PUD 200400194

ORDER NO. **492764**

HEARING: July 15, 2004  
Before Maribeth D. Snapp, Administrative Law Judge

APPEARANCES: Mary Marks Jenkins and John W. Gray, Jr.,  
Southwestern Bell Telephone Company, L.P., d/b/a SBC Oklahoma  
Bennett Abbott, Assistant General Counsel  
Public Utility Division, Oklahoma Corporation Commission

**FINAL ORDER APPROVING AMENDMENT TO**  
**INTERCONNECTION AGREEMENT**

BY THE COMMISSION:

The Corporation Commission of the State of Oklahoma (the Commission) being regularly in session and the undersigned Commissioners being present and participating, there comes on for consideration and action the request for approval an amendment to the existing Interconnection Agreement ("Agreement") between Southwestern Bell Telephone, L.P., d/b/a SBC Oklahoma ("SBC") and Sage Telecom ("Sage") pursuant to §252(e) of the Telecommunications Act of 1996 (the "Federal Act") and OAC 165:55.

**Findings of Fact and Conclusions of Law**

SBC filed an application for approval of an amendment to the existing Interconnection Agreement between SBC and Sage in accordance with the directives of Title 47 U.S.C. §252(e) and OAC 165:55. The proposed amendment will make changes to the parties' existing interconnection agreement so that the resulting interconnection agreement will be consistent with a separate commercial agreement between the parties.

The proposed amendment will be effective on the date of approval by this Commission until July 31, 2011. Under the terms of the proposed amendment, Sage waives its 47 U.S.C. §252(i), "Most Favored Nation" rights. Sage waives its rights to reciprocal compensation and unbundled network elements pursuant to the provisions of 47 U.S.C. §§251 and 252. Sage also waives any right to commingle any SBC product that is not contained in an ICA as of March 31, 2004. The proposed amendment will modify existing language related to terms, conditions, and pricing of certain UNEs. Unbundled local switching, unbundled tandem switching, and unbundled shared transport will not be available to Sage. The monthly recurring charge for an

unbundled 2-wire analog loop will be \$20.00 for current and future ICAs during the effective term of the agreement.

All §251(b)(5) "Traffic and ISP-bound Traffic" exchanged between the parties will be subject to a "bill and keep" arrangement if such traffic originates from and/or is terminated to an end office switch used by Sage when SBC is the entity providing the use of the end office switch to Sage.

The Commission finds that it has jurisdiction over the above-entitled cause pursuant to 47 U.S.C. §252 (e) of the Federal Act and OAC 165:55-17-1, *et seq.* Article IX, §18 of the Oklahoma Constitution, and 47 U.S.C. §252. The Commission finds that the parties have submitted a signed Agreement.

The Commission finds that the Agreement is consistent with §§251 and 252 of the Federal Act, and OAC 165:55; is consistent with the public interest, convenience and necessity; does not discriminate against a telecommunications service provider not a party to the Agreement; and is consistent with the pro-competitive aims of the Federal Act and the Commission's rules governing local exchange competition.

### ORDER

IT IS THEREFORE THE ORDER OF THE CORPORATION COMMISSION of the State of Oklahoma that the proposed amendment to the existing interconnection agreement between Southwestern Bell Telephone L.P., d/b/a SBC Oklahoma and Sage Telecom, is hereby approved.

OKLAHOMA CORPORATION COMMISSION

*Denise A. Bode*

DENISE A. BODE, Chairman

*Bob Anthony*

BOB ANTHONY, Vice-Chairman

*Jeff Cloud*

JEFF CLOUD, Commissioner

DONE AND PERFORMED this  
COMMISSION:


28 day of JULY, 2004 BY ORDER OF THE

*Peggy Mitchell*

PEGGY MITCHELL, Secretary

**REPORT OF THE ADMINISTRATIVE LAW JUDGE**

The foregoing Findings and Order are the Report and Recommendations of the  
Administrative Law Judge.

  
MARIBETH D. SNAPP  
Administrative Law Judge

7-21-04  
Date