

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Received
on

AUG 16 2011

In the Matter of the Application of)
Southwestern Bell Telephone, L.P. for)
Approval of Interconnection Agreement)
Under the Telecommunications Act of 1996)
with NuVox Communications of Kansas,)
Inc.)

by
State Corporation Commission
of Kansas

Docket No. 06-SWBT-237-IAT

STAFF NOTICE OF FILING OF REPORT AND RECOMMENDATION

COMES NOW the Staff of the State Corporation Commission of the State of Kansas
(Staff and Commission, respectively) and files its report recommending the Commission approve
the modification to the interconnection agreement between Southwestern Bell Telephone
Company and Windstream NuVox Kansas, Inc.

WHEREFORE Staff requests the Commission consider its report and recommendation
and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,



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**STAFF REPORT and RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Mark Sievers
Commissioner Ward Loyd
Commissioner Thomas E. Wright

FROM: Guy McDonald, Senior Telecommunications Analyst

DATE: August 10, 2011

DATE SUBMITTED TO LEGAL: 8/11/11

DATE SUBMITTED TO COMMISSIONERS: 8/16/11

SUBJECT: In the Matter of the Application of Southwestern Bell Telephone, L.P. for
Approval of Interconnection Agreement Under the Telecommunications Act of
1996 with NuVox Communications of Kansas, Inc.
Docket No. 06-SWBT-237-IAT

BACKGROUND:

On September 7, 2005, Southwestern Bell Telephone (SWBT) filed an Application for Approval of an Interconnection Agreement with NuVox Communications of Kansas, Inc. ("NuVox") under the Telecommunications Act of 1996. That Agreement received Commission approval on September 14, 2005.

On October 5, 2007, SWBT filed an Application for Approval of a Modification to the Interconnection Agreement under the Telecommunications Act of 1996 thereby extending the Agreement's termination date from December 12, 2008, to December 12, 2011. That Modification received Commission approval on October 22, 2007.

On July 8, 2011, SWBT filed another Application for Approval of a Modification. This filing reflects the name change of NuVox to Windstream NuVox Kansas, Inc., as previously approved in Docket Nos. 10-NVCC-607-CCN and 10-NVCT-608-CCN on June 11, 2010. This filing updates language in the parties' Interconnection Agreement and was approved by the parties on June 14, 2011.

Per Section 252(e)(4) of the Federal Telecom Act, Commission action in this matter is required not later than **Thursday, October 6, 2011.**

ANALYSIS:

Both entities are properly registered with the Kansas Secretary of State's office and are Active and in Good Standing with the Secretary's office (a/o 8-9-2011).

This Agreement Modification updates the parties' respective Interconnection Agreement to reflect the previously approved name change of NuVox to Windstream NuVox Kansas, Inc.

The parties present this Agreement as an integrated package, the result of negotiations and compromise. The parties state that there are no outstanding issues in need of mediation or arbitration.

Section 252(e) of the Federal Act states that state commissions may reject a negotiated agreement only if it finds that the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience and necessity. Staff has reviewed this proposed Agreement and finds no such cause for concern with this filing.

RECOMMENDATION:

Staff has reviewed the Application and recommends Commission approval, as presented.

CERTIFICATE OF SERVICE

06-SWBT-237-IAT

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff Notice of Filing of Report and Recommendation was placed in the United States mail, postage prepaid, or hand-delivered this 16th day of August, 2011, to the following:

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