



Bruce A. Ney
General Attorney

AT&T Kansas
220 SE Sixth Street
Room 515
Topeka, Kansas 66603-3596

T:785.276.8413
F:785.276.1948
bruce.ney@att.com

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Kansas Corporation Commission
/S/ Susan K. Duffy

April 7, 2010

STATE CORPORATION COMMISSION

APR 07 2010

Ms. Susan K. Duffy, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027

RE: Interconnection Agreement between AT&T Kansas and MCC Telephony of the Midwest, LLC

Dear Ms. Duffy:

Enclosed for filing with the Commission are an original and three (3) copies of an Application for Approval of an Interconnection Agreement (the MFN Agreement) between Southwestern Bell Telephone Company d/b/a AT&T Kansas and MCC Telephony of the Midwest, LLC ("MCC") executed on March 31, 2010, and the supporting affidavit of Janet Arnold, Manager-Regulatory Relations.

MCC has chosen in the attached MFN Agreement to adopt an interconnection agreement previously approved by the Commission in KS Dkt. No. 08-SWBT-1135-IAT in arbitrated proceedings designed to develop successor agreements for the Kansas 271 Interconnection Agreement. There are no outstanding issues between the parties that need the assistance of mediation or arbitration. AT&T Kansas files this MFN Agreement seeking Commission approval of its terms and conditions consistent with the Federal Act of 1996. MCC is registered as active and in good standing with the Kansas Secretary of State's office.

On December 28, 2009, in Docket No. 10-MTMT-432-COC, MCC filed for a Certificate of Convenience and, to date, there has been no Order approving such. We ask the KCC to please consider our filing herein and act on it in light of and consistent with the outcome of this pending COC.

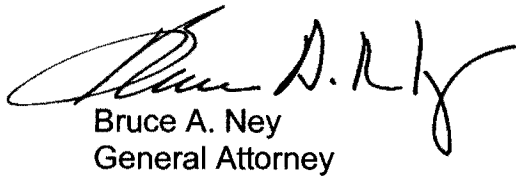
AT&T Kansas represents and believes in good faith that the implementation of this MFN Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. AT&T Kansas specifically requests that the Commission refrain from taking any action to change, suspend or otherwise delay implementation of this agreement, in keeping with the support for competition previously demonstrated by the Commission.

Contact information for MCC is listed below.

CLEC Officer Name:	CLEC Attorney Name:
Anne Sokolin-Maimon	
Vice President, Regulatory Affairs	
100 Crystal Run Rd.	
Middletown, NY 10941	
Phone: 845-695-2610	
Fax: 845-695-2669	
E-mail: amaimon@mediacomcc.com	

The Commission's prompt attention to this matter would be appreciated.

Sincerely,



Bruce A. Ney
General Attorney

Enclosures

cc: Ms. Colleen Harrell (transmittal letter only)
Ms. Anne Sokolin-Maimon

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Application of Southwestern Bell)	
Telephone Company for Approval of)	
Interconnection Agreement Under the)	Docket No. <u>10-SWBT-653-IAT</u>
Telecommunications Act of 1996 With)	
MCC Telephony of the Midwest, LLC)	

**APPLICATION OF SOUTHWESTERN BELL TELEPHONE COMPANY FOR
APPROVAL OF INTERCONNECTION AGREEMENT UNDER THE
TELECOMMUNICATIONS ACT OF 1996**

Southwestern Bell Telephone Company d/b/a AT&T Kansas hereby files this Application for Approval of an Interconnection Agreement ("the MFN Agreement") with MCC Telephony of the Midwest, LLC ("MCC"), pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, Public Law No. 104-104 ("Federal Act") and would respectfully show the Kansas Corporation Commission ("Commission") the following:

I. AGREEMENT REACHED

As noted in the attached MFN Agreement, MCC has chosen to adopt an interconnection agreement previously approved by the Commission on September 23, 2008 in KS Dkt. No. 08-SWBT-1135-IAT in arbitrated proceedings designed to develop successor agreements for the Kansas 271 Interconnection Agreement. There are no outstanding issues between AT&T Kansas and MCC that need the assistance of mediation or arbitration. This MFN Agreement was executed on March 31, 2010.

II. REQUEST FOR APPROVAL

On December 28, 2009, in Docket No. 10-MTMT-432-COC, MCC filed for a Certificate of Convenience (COC) and, to date, there has been no Order approving

such. We ask the KCC to please consider our filing herein and act on it in light of and consistent with the outcome of this pending COC, and consistent with the provisions of the Federal Act.

AT&T Kansas believes that the implementation of this MFN Agreement complies fully with Section 252(e) of the Federal Act because it is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The MFN Agreement promotes diversity in providers, provides interconnectivity, and will increase customer choices for telecommunications services.

AT&T Kansas respectfully requests that the Commission grant expeditious approval of this MFN Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiation and compromise and the parties do not believe a docket or intervention by other parties is necessary or appropriate.

III. STANDARD FOR REVIEW

The statutory standards of review are set forth in Section 252(e) of the Federal Act which provides as follows:

(e) APPROVAL BY STATE COMMISSION

- (1) APPROVAL REQUIRED.**--Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION**--The State Commission may only reject --(A) an agreement (or

any portion thereof) adopted by negotiation under subsection (a) if it finds that --

- (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; or

The affidavit of Janet Arnold, Manager-Regulatory Relations, establishes that the MFN Agreement submitted herein satisfies these standards. (Affidavit, Attachment II).

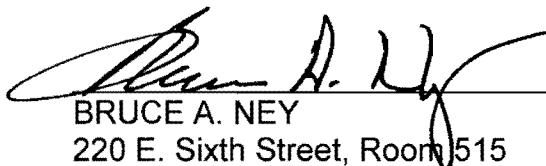
IV. KANSAS LAW

The negotiated and executed MFN Agreement is consistent with the Kansas regulatory statutes.

VI. CONCLUSION

For the reasons set forth above, AT&T Kansas respectfully requests that the Commission approve the MFN Agreement expeditiously.

Respectfully submitted,



BRUCE A. NEY (#15554)
220 E. Sixth Street, Room 515
Topeka, Kansas 66603-3596
(785) 276-8413
(785) 276-1948 (Facsimile)
Attorney for Southwestern Bell Telephone
Company d/b/a AT&T Kansas

**INTERCONNECTION AGREEMENT UNDER
SECTIONS 251 AND 252 OF THE
TELECOMMUNICATIONS ACT OF 1996**

by and between

**SOUTHWESTERN BELL TELEPHONE COMPANY
d/b/a**

AT&T KANSAS

and

MCC TELEPHONY OF THE MIDWEST, LLC

**ADOPTION OF INTERCONNECTION AGREEMENT
UNDER SECTION 252(i)
OF THE
TELECOMMUNICATIONS ACT OF 1996**

This Agreement (this "MFN Agreement"), is being entered into by and between Southwestern Bell Telephone Company¹ d/b/a AT&T Kansas ("AT&T Kansas"), and MCC Telephony of the Midwest, LLC ("CLEC"), (each a "Party" and, collectively, the "Parties"), pursuant to Sections 251 and 252 of the Telecommunications Act of 1996 ("the Act").

RECITALS

WHEREAS, pursuant to Section 252(i) of the Act, CLEC has requested to adopt the Interconnection Agreement by and between AT&T Kansas and Access Point, Inc. for the State of Kansas, which was approved by the Kansas Corporation Commission ("the Commission") under Section 252(e) of the Act on September 23, 2008 in docket number 08-SWBT-1135-IAT, including any amendments to such Agreement (the "Separate Agreement"), which is incorporated herein by reference; and

NOW, THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CLEC and AT&T Kansas hereby agree as follows:

1.0 Incorporation of Recitals and Separate Agreement by Reference

- 1.1 The foregoing Recitals are hereby incorporated into and made a part of this MFN Agreement.
- 1.2 Except as expressly stated herein, the Separate Agreement (including any and all applicable Appendices, Schedules, Exhibits, Attachments and Amendments thereto) is incorporated herein by this reference and forms an integral part of the MFN Agreement.

2.0 Modifications to Separate Agreement

- 2.1 References in the Separate Agreement to "CLEC" or to "Other" shall for purposes of the MFN Agreement be deemed to refer to CLEC.
- 2.2 References in the Separate Agreement to the "Effective Date," the date of effectiveness thereof and like provisions shall for purposes of this MFN Agreement be deemed to refer to the date upon which the MFN Agreement is approved by the Commission. In addition, this MFN Agreement shall expire on September 1, 2009.
- 2.3 The Notices Section in the Separate Agreement is hereby revised to reflect that Notices should be sent to CLEC under this MFN Agreement at the following address:

NOTICE CONTACT	CLEC CONTACT
NAME/TITLE	Anne Sokolin-Maimon Vice President, Regulatory Affairs
STREET ADDRESS	100 Crystal Run Rd.
CITY, STATE, ZIP CODE	Middletown, NY 10941
FACSIMILE NUMBER	845-695-2669

- 2.4 The Notices Section in the Separate Agreement is hereby revised to reflect that Notices should be sent to AT&T Kansas under this MFN Agreement at the following address:

¹ On December 30, 2001, Southwestern Bell Telephone Company (a Missouri corporation) was merged with and into Southwestern Bell Texas, Inc. (a Texas corporation) and, pursuant to Texas law, was converted to Southwestern Bell Telephone, L.P., a Texas limited partnership. On June 29, 2007, Southwestern Bell Telephone, L.P., a Texas limited partnership, was merged with and into SWBT Inc., a Missouri corporation, with SWBT Inc. as the survivor entity. Simultaneous with the merger, SWBT Inc. changed its name to Southwestern Bell Telephone Company. Southwestern Bell Telephone Company is doing business in Kansas as "AT&T Kansas".

NOTICE CONTACT	AT&T-13STATE CONTACT
NAME/TITLE	Contract Management ATTN: Notices Manager
STREET ADDRESS	311 S. Akard, 9 th Floor Four AT&T Plaza
CITY, STATE, ZIP CODE	Dallas, TX 75202
FACSIMILE NUMBER	214-464-2006

3.0 Clarifications

- 3.1 In entering into this MFN Agreement, the Parties acknowledge and agree that neither Party waives, and each Party expressly reserves, any of its rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in this MFN Agreement (including intervening law rights asserted by either Party via written notice as to the Separate Agreement), with respect to any orders, decisions, legislation or proceedings and any remands by the FCC, state utility commission, court, legislature or other governmental body including, without limitation, any such orders, decisions, legislation, proceedings, and remands which were issued, released or became effective prior to the Effective Date of this MFN Agreement, or which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further government review.
- 3.2 It is AT&T Kansas' position that this MFN Agreement (including all attachments thereto) and every interconnection, service and network element provided hereunder, is subject to all rates, terms and conditions contained in the MFN Agreement (including all attachments/appendices thereto), and that all of such provisions are integrally related and non-severable.

MCC Telephony of the Midwest, LLC

Southwestern Bell Telephone Company d/b/a AT&T
Kansas by AT&T Operations, Inc., its authorized agent

By: _____

By: _____

Printed: Daniel P. Templin

Printed: Eddie A. Reed, Jr.

Title: Group VP Strategic Marketing & Prod Dev. Title: Director-Interconnection Agreements
(Print or Type)

Date: 3/25/10

Date: 3.31.10

BEFORE THE KANSAS CORPORATION COMMISSION
OF THE STATE OF KANSAS

Application of Southwestern Bell)
Telephone Company for Approval of)
Interconnection Agreement Under the) Docket No. _____
Telecommunications Act of 1996 With)
MCC Telephony of the Midwest, LLC)

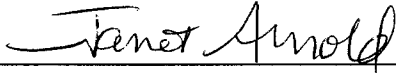
AFFIDAVIT OF JANET ARNOLD

STATE OF KANSAS)
) ss
COUNTY OF SHAWNEE)

Before me, the Undersigned Authority, on the 7th day of April, 2010, personally appeared Janet Arnold of Southwestern Bell Telephone Company d/b/a AT&T Kansas who, upon being by me duly sworn on oath depose and said the following:

1. My name is Janet Arnold. I am over the age of 21, of sound mind and competent to testify to the matters stated herein. I am the Manager-Regulatory Relations for AT&T Kansas, and I have knowledge concerning the Interconnection Agreement ("the MFN Agreement") between AT&T Kansas and MCC Telephony of the Midwest, LLC ("MCC") on behalf of AT&T Kansas. I have personal knowledge of the provisions of the MFN Agreement which was executed on March 31, 2010.
2. MCC has chosen in the MFN Agreement to adopt an interconnection agreement previously approved by the Commission on September 23, 2008 in KS Dkt. No. 08-SWBT-1135-IAT in arbitrated proceedings designed to develop successor agreements for the Kansas 271 Interconnection Agreement.
3. There are no outstanding issues between the parties that need the assistance of mediation and arbitration.

4. The implementation of this MFN Agreement is consistent with the public interest, convenience and necessity. The MFN Agreement will further the transition of telecommunications competition in the State of Kansas, a policy of this State and the United States. The MFN Agreement allows diversity in providers, provides interconnectivity, and will increase customer choices for telecommunications Solutions.
5. This MFN Agreement does not discriminate against any telecommunications carrier. It is available to any similarly situated provider in negotiating a similar agreement.
6. The MFN Agreement is consistent with Kansas law.


Janet Arnold

Subscribed and sworn to before me this 7th day of April, 2010.




Notary Public

My Commission Expires: January 26, 2011