

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

Before Commissioners: Thomas E. Wright, Chairman
 Michael C. Moffet
 Joseph F. Harkins

In the Matter of the Application of Southwestern)
Bell Telephone Company for Approval)
of Cellular/PCS Interconnection Agreement) Docket No. 09-SWBT-568-IAT
under the Telecommunications Act of 1966)
with NE Colorado Cellular, Inc.)

**ORDER GRANTING SWBT APPLICATION
FOR CELLULAR/PCS IAT WITH COLORADO CELLULAR**

The above-captioned matter comes on before the State Corporation Commission of the State of Kansas (Commission) for determination. Having examined its files and records, and being duly advised in the premises, the Commission grants the Application of Southwestern Bell Telephone Company (SWBT) for Approval of a Cellular/PCS Interconnection Agreement with NE Colorado Cellular, Inc. (Colorado Cellular and Application, respectively).

1. On January 14, 2009, SWBT filed its Application.
2. Commission staff (Staff) provided its Memorandum on March 10, 2009, analyzing the Application. Staff's Memorandum was posted to the Commission's web site the same day to provide interested persons the opportunity to comment on the Application. No comments were filed as of March 23, 2009.
3. Staff's Memorandum advised the Commission that SWBT maintained that the Application complied fully with § 252(e) of the federal Telecommunications Act of 1996 (FTA). SWBT further maintained that approval of the Application would be consistent with the public, interest, convenience and necessity. SWBT also maintained that the

proposed interconnection agreement does not discriminate against any telecommunications carrier not a party to the agreement.

4. The Memorandum advised the Commission that Colorado Cellular was registered with the office of the Kansas Secretary of State and is in "active and in good standing" with that office.

5. Staff found no evidence that the interconnection agreement between SWBT and Colorado Cellular would discriminate against any telecommunications carrier not a party to the agreement. Staff recommended Commission approval of the Application.

6. The Commission has reviewed the Memorandum and concludes that the interconnection agreement between SWBT and Colorado Cellular is consistent with the public interest as expressed in federal and Kansas law and should be approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application for approval of a cellular/PCS interconnection agreement between Southwestern Bell Telephone Company and NE Colorado Cellular, Inc. is granted.

B. The Commission retains jurisdiction over the parties and the subject matter of this docket for the purpose of issuing such additional order as it deems necessary.

BY THE COMMISSION IT IS SO ORDERED.

Wright, Chmn.; Moffet, Com.; Harkins, Com.

Dated: MAR 30 2009

ORDERED MAILED

MAR 30 2009

 **EXECUTIVE
DIRECTOR**

Susan K. Duffy, Executive Director

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