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### BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

# MAY 27 2011

by State Corporation Commission

of Kansas

In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with MCC Telephony of the Midwest, LLC.

) Docket No. 10-SWBT-653-IAT

### NOTICE OF FILING OF STAFF REPORT AND RECOMMENDATION

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COMES NOW the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively) and files its Report and Recommendation on Southwestern Bell Telephone Company's request for approval of a modification to its interconnection agreement with MCC Telephony of Midwest, LLC.

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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Mark Sievers, Chairman Ward Loyd, Commissioner Thomas E. Wright, Commissioner Phone: 785-271-3100 Fax: 785-271-3354 http://kcc.ks.gov/

Sam Brownback, Governor

## REPORT AND RECOMMENDATION UTILITIES DIVISION

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

Hal Baumhardt FROM:

DATE: May 20, 2011

DATE SUBMITTED TO LEGAL: 5/25/11DATE SUBMITTED TO COMMISSIONERS: 5/27/11

#### Docket No. 10-SWBT-653-IAT SUBJECT:

In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with MCC Telephony of the Midwest, LLC.

## **BACKGROUND:**

On March 9, 2011, Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T Kansas) filed an Application for approval of a modification to the Interconnection Agreement (Agreement) previously approved on May 4, 2010, between AT&T Kansas and MCC Telephony of the Midwest, LLC (MCC Telephony).

AT&T Kansas is the largest local exchange carrier (LEC) operating in Kansas. The Company's largest service areas are Kansas City, Topeka, and Wichita. AT&T Kansas is headquartered in Topeka, Kansas, and its President is S.C. Hahn.

MCC Telephony of the Midwest d/b/a Mediacom Communications is the nation's seventh largest cable television company and among the leading cable operators focused on serving the smaller cities and towns in the United States. The Company's service areas have a significant concentration in the Midwest and Southern regions and are the leading provider of broadband services in Iowa and the second largest in Illinois. The Company serves more than 1,500 communities throughout the country. Communication services include residential High Speed Data (HSD), residential phone and multi-line business phone, primarily for small business customers. The Company is headquartered in Middleton, New York, and its CEO is Rocco B. Commisso.



This filing requires Commission action on or before <u>June 6, 2011</u>.

### ANALYSIS:

The modification to this Agreement adds Company identifier clarification language to the existing Agreement. The amended Agreement states that the competitive local exchange carrier (CLEC) certifies that it will be operating under and submitting its orders with the Carrier Identification Code (CIC) of 5086 as issued by the North American Numbering Plan Administration (NANPA) for CLEC's parent company MCC Telephony, LLC (Mediacom).

AT&T Kansas affirms that implementation of this Agreement complies fully with Section 252(e) of the Telecommunication Act of 1996 because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. Except as modified herein, all other terms and conditions of the underlying Agreement remain unchanged and in full force.

Both companies are properly registered with the Kansas Secretary of State's Office and are "active and in good standing" with that office.

Staff has reviewed the modification to this Agreement between AT&T Kansas and MCC Telephony, and Staff does not have any concerns regarding this Application.

### **RECOMMENDATION:**

Staff recommends the Commission grant approval for the modification to this Interconnection Agreement between AT&T Kansas and MCC Telephony of Midwest, LLC.

### CERTIFICATE OF SERVICE

10-SWBT-653-IAT

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Notice of Filing of Staff Report and Recommendation was placed in the United States mail, postage prepaid, or hand-delivered this 27th day of May, 2011, to the following:

ROBERT LEHR, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 Fax: 785-271-3354 b.lehr@kcc.ks.gov \*\*\*Hand Delivered\*\*\*

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mele try to Pamela Griffeth

Administrative Specialist