

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: John Wine, Chair  
Cynthia L. Claus  
Brian J. Moline

In the Matter of the Application of )  
Southwestern Bell Telephone Company for )  
Interconnection and Reciprocal )  
Compensation Agreement Under the ) Docket No. 99-SWBT-468-IAT  
Telecommunications Act of 1996 with )  
Panhandle Telecommunication Systems, Inc. )

ORDER

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On April 11, 2002, SWBT filed an application for approval of a modification of the interconnection and reciprocal compensation agreement with Panhandle Telecommunication Systems, Inc. ("PTSI").
2. On February 16, 1999, the Commission issued an order approving the interconnection and reciprocal compensation agreement filed in this Docket between Southwestern Bell Telephone Company ("SWBT") and PTSI. PTSI had not obtained authority to be a CLEC in Kansas before this agreement was filed, nor has it obtained a certificate in the interim. Before it may offer local telecommunications service to its customers in Kansas, it must obtain a certificate of convenience and authority and have tariffs approved by this Commission on file.

3. On April 11, 2002, SWBT filed an application for approval of a modification of the interconnection and reciprocal compensation agreement with PTSI. The proposed modification amends the agreement as follows:

The Area Wide Calling Plan billing option described in Section 5.5 of the Agreement as well as the associated pricing in Section 7.0 of the Appendix Pricing shall be discontinued and unavailable to PTSI after September 30, 2002, and Section 18.2, Term and Termination is amended to reflect a one-year extension, until January 12, 2003.

4. The parties believe approval is consistent with public interest, convenience and necessity. They indicate that it does not discriminate against any telecommunications carrier, but promotes diversity of local service providers, provides interconnectivity and increases customer's choices for telecommunications services.

5. The Commission has reviewed the application and the agreement. PTSI remains registered with the Secretary of State's office as a foreign corporation, however, its status was delinquent as of April 15, 2002, for failure to file an annual report.

6. The Commission finds that the modification to the interconnection agreement is consistent with the public interest, convenience and necessity, and does not discriminate against any telecommunications carrier. The modification should be approved as requested.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The modification of the interconnection and reciprocal compensation agreement between Southwestern Bell Telephone Company and Panhandle Telecommunication Systems, Inc. is approved as requested.

B. Panhandle Telecommunication Systems, Inc. is hereby reminded that before it may offer local telecommunications services to customers in Kansas it must obtain a certificate

of convenience and authority, have tariffs approved by this Commission, and regain the proper status with the Secretary of State's Office.

C. Any party may file a petition for reconsideration of this order within fifteen days of the date this order is served. If service is by mail, service is complete upon mailing and three days may be added to the above time frame.

D. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Wine, Chr.; Claus, Com.; Moline, Com.

Dated: MAY 15 2002

ORDER MAILED

MAY 15 2002

 Executive  
Director

Jeffrey S. Wagaman  
Executive Director

BL:rd