

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

Before Commissioners: Dwight D. Keen, Chairman
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Application of)
Southwestern Bell Telephone, L.P. for)
Approval of Interconnection Agreement) Docket No. 06-SWBT-376-IAT
Under the Telecommunications Act of 1996)
With Trinsic Communications, Inc.)

ORDER APPROVING AMENDED INTERCONNECTION AGREEMENT

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and record and being duly advised in the premises, the Commission makes the following findings:

1. On December 20, 2018, Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T Kansas) filed an Application requesting Commission approval of an amendment to the Interconnection Agreement between Southwestern Bell Telephone Company and Matrix Telecom, LLC (Matrix) d/b/a Trinsic Communications. AT&T Kansas included as Attachments I and II to the Application, a copy of the subject Amendment to the Interconnection Agreement and the Affidavit of Richard T. Howell, Area Manager-Regulatory Relations for AT&T Kansas.

2. AT&T Kansas states that the Amendment to the Interconnection Agreement entered into between AT&T Kansas and Matrix on November 6, 2018, amends the Interconnection Agreement, which was approved by the Commission on October 26, 2005, in the above-captioned docket. The subject Interconnection Agreement and Amendment to Interconnection Agreement are collectively referred to herein as “amended Agreement”. AT&T Kansas further states that the amended Agreement reflects changes resulting from the modification of certain provisions related

to Operations Support Systems and/or Data Connection Security requirements, replacement of Notices provisions and the name change from Matrix Telecom, LLC to Matrix Telecom, LLC d/b/a Trinsic Communications. AT&T Kansas indicates the amended Agreement fully complies with Section 252(e) of the Telecommunications Act of 1996 (Federal Act) and is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.¹

3. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 2017 Supp. 66-1,188. K.S.A. 66-1,190 requires all telecommunications public utilities doing business in Kansas to:

...publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate, and shall furnish the commission copies of all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities.

4. Section 252(e)(2) of the Federal Act [47 U.S.C. §252(e)(2)] requires the Commission to presume that interconnection agreements entered into through negotiation and submitted for Commission approval are valid unless:

- (1) the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience, and authority.

5. On January 31, 2019, the Commission Staff (Staff) submitted its Report and Recommendation, advising the Commission approve the amended Agreement between AT&T

¹ Application at 2.

Kansas and Matrix. Citing Section 252(e) of the Federal Act, Staff acknowledges the amended Agreement fully complies with Section 252(e) of the Federal Act and is consistent with the public interest and convenience and necessity. Both AT&T Kansas and Matrix are properly registered with the Kansas Secretary of State's office and their status with that office is active and in good standing. Staff accordingly recommends the Commission grant AT&T Kansas' Application and approve the amended Agreement.

6. The Commission adopts Staff's recommendation of January 31, 2019, as stated in its Report and Recommendation, which is attached and made a part of this Order, and finds that AT&T Kansas' Application should be granted, and the amended Agreement between AT&T Kansas and Matrix be approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Southwestern Bell Telephone Company d/b/a AT&T Kansas' Application filed December 20, 2018 is hereby granted and the amended Interconnection Agreement between AT&T Kansas and Matrix Telecom, LLC d/b/a Trinsic Communications, is hereby approved.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).²

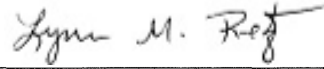
C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order, or orders, as it may deem necessary.

² K.S.A. 66-118b; K.S.A. 77-503(c); and K.S.A. 77-531(b).

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 02/26/2019



Lynn M. Retz
Secretary to the Commission

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Dwight D. Keen, Chair
Shari Feist Albrecht, Commissioner
Jay Scott Emler, Commissioner

Laura Kelly, Governor

REPORT AND RECOMMENDATION

UTILITIES DIVISION

TO: Chair Dwight D. Keen
Commissioner Shari Feist Albrecht
Commissioner Jay Scott Emler

FROM: Paula Artzer, Senior Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: January 31, 2019

SUBJECT: 06-SWBT-376-IAT
In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Trinsic Communications, Inc.

EXECUTIVE SUMMARY:

On December 20, 2018, Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T) filed an Application for approval of an Interconnection Agreement Amendment (Amendment) between AT&T and Matrix Telecom, LLC (Matrix) d/b/a Trinsic Communications. Staff recommends approval of the filing.

BACKGROUND:

On November 6, 2018, AT&T and Matrix entered into an Amendment for the modification of the original Interconnection Agreement to make changes to the Operation Support Systems (OSS) and/or Data Security Requirements, notice procedures and to officially change the company name to Matrix Telecom, LLC d/b/a Trinsic Communications. The Amendment expires coterminous with the current Agreement.

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

Matrix is headquartered in Irving, Texas, and is registered as a Limited Liability Company. Matrix received Certificates of Convenience and Authority in Dockets 05-MXTC-867-COC, approved October 26, 2005, to provide Competitive Local Exchange (CLEC) service and 91-MXTC-123-

COC to provide Interexchange (IXC) service in the state of Kansas. Matrix is registered with the Kansas Secretary of State's office and is "active and in good standing" with that office.

ANALYSIS:

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. K.S.A. 66-1,190 requires all telecommunications public utilities doing business in Kansas over which the Commission has control to "publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate, and shall furnish the commission copies of all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities."

The U.S. Congress and the Federal Communications Commission (FCC) have pre-empted certain aspects of state regulation of interconnection between telecommunications carriers. Section 252(e)(2) of the Federal Telecommunications Act of 1996 (47 U.S.C. §252(e)(2)) requires the Commission to presume that interconnection agreements entered into through negotiation and submitted for Commission approval are valid unless:

- 1) the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- 2) the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience, and necessity.

AT&T affirms that implementation of this Amendment complies fully with Section 252(e) of the Federal Act because the Amendment to the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

Staff does not have any concerns regarding this Application. Staff reviewed the Amendment and did not find any language that discriminates against other telecommunications carriers not a party to the Agreement or language that is inconsistent with the public interest, convenience, and necessity. Partial changes made to the Agreement by this Amendment are in compliance with FCC Orders.

RECOMMENDATION:

Staff recommends the Commission grant approval of this Amendment to the Interconnection Agreement between AT&T Kansas and Matrix. Staff finds no evidence of discrimination against other parties and finds that approval is in the public interest.

CERTIFICATE OF SERVICE

06-SWBT-376-IAT

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 02/16/2019.

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/S/ DeeAnn Shupe

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