

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

MAY 26 2009

In the Matter the Application of)
Southwestern Bell Telephone, L.P. for)
Approval of an Interconnection Agreement)
Under the Telecommunications Act of 1996)
with McLeodUSA Telecommunications)
Services, Inc.)

Docket No. 06-SWBT-379-IAT

 Docket
Room

NOTICE OF FILING OF STAFF REPORT AND RECOMMENDATION

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's request for approval of a modification to the interconnection
agreement entered into with McLeodUSA Telecommunications Services, Inc.

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,



Colleen R. Harrell, #16121
Litigation Counsel, Telecommunications
1500 S.W. Arrowhead Road
Topeka, KS 66604
(785) 271-3288 phone
(785) 271-3167 fax
c.harrell@kcc.ks.gov
Attorney for Commission Staff

VERIFICATION

STATE OF KANSAS)
) SS:
COUNTY OF SHAWNEE)

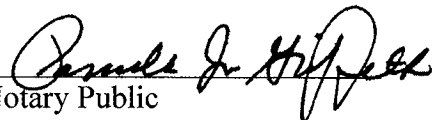
Colleen R. Harrell, of lawful age being first duly sworn upon oath states:

That she is the attorney for the Corporation Commission Staff in this matter; that she has read and is familiar with the foregoing Notice and that the statements made therein are true and correct to the best of her information, knowledge and belief.

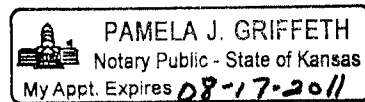


Colleen R. Harrell

Subscribed and sworn to before me Tuesday, May 26, 2009.



Notary Public



My appointment expires: *August 17, 2011*

MEMORANDUM
UTILITIES DIVISION

TO: Chairman Wright
Commissioner Moffet
Commissioner Harkins

FROM: Christine Aarnes

DATE: May 22, 2009

DATE SUBMITTED TO LEGAL: 5/26/09

DATE SUBMITTED TO COMMISSIONERS: 5/26/09

RE: Docket No. 06-SWBT-379-IAT

In the Matter of the Application Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with McLeodUSA Telecommunications Services, Inc.

BACKGROUND:

On October 12, 2005, Southwestern Bell Telephone, L.P. (now known as Southwestern Bell Telephone Company d/b/a AT&T Kansas ("SWBT")) filed an application for approval of an interconnection agreement with McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"). The Commission issued an order on October 26, 2005 approving SWBT's request for approval of the agreement.

McLeodUSA is properly registered with the Kansas Secretary of State's office and is currently "active and in good standing" with the Secretary's office.

On May 13, 2009, SWBT filed this request for a modification to its agreement with McLeodUSA.

ANALYSIS:

The modification amends the agreement to extend its expiration date to December 12, 2011. No other changes to the agreement were made.

SWBT contends that implementation of this agreement complies fully with Section 252(e) of the Federal Act. SWBT believes approval is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

SWBT presents this Agreement and its attachments as an integrated package, the result of negotiations and compromise. SWBT states there are no outstanding issues between the parties that need the assistance of mediation or arbitration.

Section 252(e) of the Federal Act states that state commissions may reject a negotiated agreement only if it finds that the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience and necessity. Staff has reviewed the amendment to the agreement and finds no such cause for concern from this filing.

RECOMMENDATION:

Staff has reviewed the amendment to the agreement and finds no indication that other parties may be disadvantaged or negatively impacted by its approval. Staff recommends commission approval of the amendment to the negotiated agreement.

cc: Don Low
Pat Shurtz

Susan Duffy
Colleen Harrell

Tom Stratton

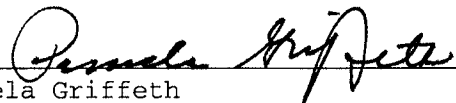
CERTIFICATE OF SERVICE

06-SWBT-379-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 26th day of May, 2009, to the following:

AL FINNELL, CARRIER RELATIONS MANAGER
MCLEOD USA, INC.
6801 MORRISON BLVD
CHARLOTTE, NC 28211
al.finnell@paetec.com

BRUCE A NEY, ATTORNEY, ROOM 515
SOUTHWESTERN BELL TELEPHONE CO.
D/B/A AT&T
220 EAST SIXTH STREET
TOPEKA, KS 66603
Fax: 785-276-1948
bruce.ney@att.com



Pamela Griffeth
Administrative Specialist