

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

Before Commissioners:                Brian J. Moline, Chair  
   Robert E. Krehbiel  
   Michael C. Moffet

In the Matter of the Petition of Navigator                )  
Telecommunications, LLC. For Arbitration                )                Docket No. 05-NVTT-370-ARB  
Against Southwestern Bell Telephone, L.P.                )  
d/b/a SBC Kansas Pursuant to Section 252                )  
(b)(1) of the Telecommunications Act of 1996.                )

**ORDER**

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

1.        On March 28, 2006, Southwestern Bell Telephone, L.P. d/b/a AT&T Kansas (AT&T) filed an application for approval of a modification to an interconnection agreement between AT&T and Navigator Telecommunications, LLC (Navigator). Their current agreement was approved by the Commission on September 14, 2005.
2.        On April 14, 2006, AT&T filed a letter with the Commission indicating that it was withdrawing the March 28, 2006 application.
3.        On April 19, 2006, Commission staff submitted a memorandum recommending the Commission dismiss the March 28, 2006 filing.
4.        The Commission finds and concludes that AT&T's March 28, 2006 application for a modification to its interconnection agreement with Navigator should be dismissed.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The March 28, 2006 application of Southwestern Bell Telephone, L.P. d/b/a AT&T Kansas for a modification to its interconnection agreement with Navigator Telecommunications, LLC is dismissed.

B. The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118; K.S.A. 2005 Supp. 77-529(a)(1).

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.

**BY THE COMMISSION IT IS SO ORDERED.**

**ORDER MAILED**

Moline, Chr.; Krehbiel, Com.; Moffet, Com.

**APR 24 2006**

Dated: APR 24 2006

 Executive  
Director

Susan K. Duffy  
Executive Director

BL:jtg