

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Thomas E. Wright, Chairman
Michael C. Moffet
Joseph F. Harkins

In the Matter of the Application of)
Southwestern Bell Telephone, L.P. for)
Approval of Interconnection Agreement) Docket No. 06-SWBT-379-IAT
Under the Telecommunications Act of 1996)
with McLeodUSA Telecommunications)
Services, Inc.)

ORDER APPROVING MODIFICATION TO INTERCONNECTION AGREEMENT

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 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").

2. On October 26, 2005, the Commission issued an order approving SWBT's request for approval of the agreement.

3. On May 13, 2009, SWBT filed a request for a modification to its agreement with McLeodUSA. The modification amends the agreement to extend its expiration date to December 12, 2011. No other changes to the agreement were made.

4. On May 26, 2009, Commission Staff (Staff) filed a memorandum recommending the Commission approve SWBT's application. Staff states that SWBT contends that

implementation of this agreement complies fully with Section 252(e) of the Telecommunications Act of 1996 and believes approval is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

5. Staff also notes 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.

6. Section 252(e) of the Telecommunications Act of 1996 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 informs the Commission that it has reviewed the proposed Agreement and finds no such cause for concern with this filing. Staff also notes McLeodUSA is properly registered with the Kansas Secretary of State's office to do business in Kansas and is currently "active and in good standing" with that office.

7. The Commission finds and concludes that the modification to the Agreement between SWBT and McLeodUSA should be approved. The Agreement, as modified, is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application of Southwestern Bell Telephone Company d/b/a AT&T Kansas for approval of a modification to the interconnection agreement with McLeodUSA is hereby approved.

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. 66-118b; K.S.A. 2008 Supp. 77-529.

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.

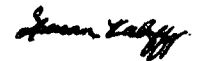
BY THE COMMISSION IT IS SO ORDERED.

Wright, Chmn.; Moffet, Com.; Harkins, Com.

Dated: JUN 22 2009

ORDERED MAILED

JUN 22 2009



EXECUTIVE
DIRECTOR

Susan K. Duffy
Executive Director

CRH:rob