

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Susan K. Duffy

In the Matter of the Application of)
Southwestern Bell Telephone Company for)
Approval of Interconnection Agreement Under) Docket No. 11-SWBT-076-IAT
the Telecommunications Act of 1996 With Big)
River Telephone Company, LLC)

ORDER APPROVING INTERCONNECTION AGREEMENT MODIFICATION

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 records and being duly advised in the premises, the Commission makes the following findings:

1. On April 12, 2021, Southwestern Bell Telephone Company d/b/a AT&T Kansas (SWBT)¹ filed an application for approval of a modification to the negotiated interconnection agreement between itself and Big River Telephone Company, LLC (Big River), originally approved in this docket on September 8, 2010. SWBT states that the modification replaces Data Connection Security Requirements in the current agreement.

2. The Commission has jurisdiction to review negotiated interconnection agreements entered into by SWBT pursuant to K.S.A. 66-2005(z)(2)(A) and 47 U.S.C. §252(e).

3. 47 U.S.C. §252(e)(2) provides that the Commission may reject a negotiated interconnection 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

¹Southwestern Bell Telephone Company d/b/a AT&T Kansas (SWBT) is an “electing carrier” referenced under K.S.A. 66-2005(x). See Docket No. 12-SWBT-797-MIS.

an agreement (or portions thereof) is not consistent with the public interest, convenience, and necessity.

4. Commission Staff submitted a Report and Recommendation in regards to the interconnection agreement modification on May 21, 2021, attached hereto as Exhibit A and made a part hereof by reference. Staff explained that the modification replaces the Data Connection and Security Requirements section in the current agreement. Staff noted that the security procedures are on the AT&T Competitive Local Exchange Carrier (CLEC) website and may change from time to time. Staff indicated that the procedures include joint security requirements, information security, user identification and authentication, network monitoring, and software integrity. No further adjustments were made to the existing negotiated interconnection agreement. Staff found no evidence to conclude the interconnection agreement modification discriminated against any telecommunications carrier, nor that it was inconsistent with the public interest, convenience, or necessity. Staff recommended approval.

5. The Commission finds Staff's findings and recommendation to be reasonable and hereby adopts the same.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The interconnection agreement modification filed April 12, 2021, between SWBT and Big River is 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

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

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

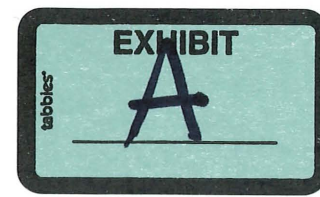
Dated: 05/27/2021



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Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Susan K. Duffy, Commissioner

Laura Kelly, Governor

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Chairperson Andrew J. French
Commissioner Dwight D. Keen
Commissioner Susan K. Duffy

FROM: Kelly Mabon, Senior Telecommunications Analyst
Sandra K. Reams, Assistant Chief of Telecommunications
Bryan Seamans, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: May 21, 2021

SUBJECT: Docket No. 11-SWBT-076-IAT
In the Matter of the Application of Southwestern Bell Telephone for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Big River Telephone Company, LLC.

EXECUTIVE SUMMARY:

On April 12, 2021, Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T Kansas) filed an Application for approval of a Modification to the Interconnection Agreement (Agreement) between AT&T Kansas and Big River Telephone Company, LLC (Big River). Staff recommends approval of the filing.

The date for Commission action on this filing is **Sunday, July 11, 2021.**

BACKGROUND:

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 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.

ANALYSIS:

This Modification to the Agreement is consistent with the provisions of Section 252(e) of the Federal Act. The Modification replaces the Data Connection and Security Requirements section in the current Agreement. These security procedures are on the AT&T Competitive Local Exchange Carrier (CLEC) online website and may change from time to time. The procedures include joint security requirements, information security, user identification and authentication, network monitoring, and software integrity. With the exception of this modification, all other terms and conditions of the underlying Agreement remains unchanged and in full force.

Staff has reviewed the Modification to the Agreement between AT&T Kansas and Big River, and Staff does not have any concerns regarding the Application. Furthermore, Staff affirms that this Agreement does not discriminate against a carrier not a party to the Agreement and approval of this Agreement is in the public interest.

RECOMMENDATION:

Staff recommends the Commission grant approval for a Modification to the Interconnection Agreement between Southwestern Bell Telephone Company d/b/a AT&T Kansas and Big River Telephone Company, LLC.

CERTIFICATE OF SERVICE

11-SWBT-076-IAT

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
electronic service on 05/27/2021.

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/S/ DeeAnn Shupe

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