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Kansas Corporation Commission  
/S/ Susan K. Duffy

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February 5, 2010

Ms. Susan K. Duffy, Executive Director  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, Kansas 66604-4027

STATE CORPORATION COMMISSION

FEB 05 2010

Re: Docket No. 06-SWBT-370-IAT

Dear Ms. Duffy:

Enclosed for filing with the Commission are an original and three (3) copies of an Application for Approval of a Modification to the Amendment Superseding Certain Reciprocal Compensation, Interconnection and Trunking Terms ("the Amendment") previously approved between Southwestern Bell Telephone Company d/b/a AT&T Kansas and MCI metro Access Transmission Services LLC ("MCI") on November 27, 2007 in the above-captioned docket. Also enclosed is the supporting Affidavit of Janet Arnold, Manager-Regulatory Relations.

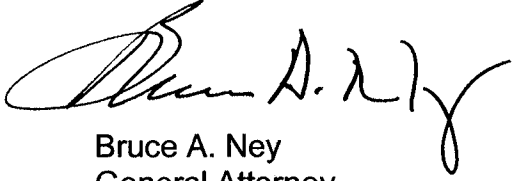
This modification extends the term of the original Amendment through July 31, 2011. The Amendment, with this modification and the attachments incorporated therein, is an integrated package and is the result of negotiation and compromise. There are no outstanding issues between the parties that need the assistance of mediation or arbitration. MCI is registered as active and in good standing with the Kansas Secretary of State's office.

AT&T Kansas files this modification to the Amendment seeking Commission approval of its terms and conditions consistent with the Federal Telecommunications Act of 1996. AT&T Kansas represents and believes in good faith that the implementation of this modification to the Amendment is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. AT&T Kansas specifically requests that the Commission refrain from taking any action to change, suspend or otherwise delay implementation of this modification to the amendment, in keeping with the support for competition previously demonstrated by the Commission. Contact information for MCI is listed below.

CLEC Officer Name:	CLEC Attorney Name:
Kathy Jespersen	
Manager – Verizon	
205 N. Michigan Ave., Rm. 5036SE	
Chicago, IL 60601	
Phone: 312-260-3294	
Fax: 312-470-5574	
E-mail: <a href="mailto:kathy.jespersen@verizonbusiness.com">kathy.jespersen@verizonbusiness.com</a>	

The Commission's prompt attention to this matter would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. Ney". The signature is fluid and cursive, with a large initial "B" and a stylized "Ney".

Bruce A. Ney  
General Attorney

Enclosures

cc: Ms. Colleen Harrell (transmittal letter only)  
Ms. Kathy Jespersen

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

Application of Southwestern Bell	)	
Telephone Company, L.P. for Approval	)	
of Interconnection Agreement Under	)	Docket No. 06-SWBT-370-IAT
the Telecommunications Act of 1996	)	
With MCImetro Access Transmission	)	
Services LLC	)	

**APPLICATION OF SOUTHWESTERN BELL TELEPHONE COMPANY  
FOR APPROVAL OF A MODIFICATION TO INTERCONNECTION AGREEMENT  
AMENDMENT**

Southwestern Bell Telephone Company d/b/a AT&T Kansas hereby files this Application for Approval of a Modification to the Amendment Superseding Certain Reciprocal Compensation, Interconnection and Trunking Terms ("the Amendment") under the Telecommunications Act of 1996 ("Federal Act") between AT&T Kansas and MCImetro Access Transmission Services LLC ("MCI") and would respectfully show the Kansas Corporation Commission ("Commission") the following:

**I. INTRODUCTION**

AT&T Kansas presents to this Commission a modification to the Amendment previously negotiated, executed and filed with the Commission on November 13, 2007 pursuant to the terms of the Federal Act. The Commission issued an order approving the Amendment on November 27, 2007. This modification extends the term of the original Amendment through July 31, 2011. A copy of the executed Amendment which reflects the parties' agreement to incorporate this modification to the Amendment is attached hereto as Attachment I.

## **II. REQUEST FOR APPROVAL**

AT&T Kansas seeks the Commission's approval of this modification to the Amendment, consistent with the provisions of the Federal Act. The implementation of this modification to the Amendment complies fully with Section 252(e) of the Federal Act because the modifications are consistent with the Commission's previous conclusion that the Amendment is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

AT&T Kansas respectfully requests that the Commission grant expeditious approval of this modification to the Amendment, without change, suspension or other delay in its implementation. The Amendment, with this modification, is a bilateral agreement, reached as a result of negotiations and compromise between competitors, and the parties do not believe a docket or intervention by other parties is necessary or appropriate.

## **III. STANDARD FOR REVIEW**

The statutory standards of review are set forth in Section 252(e) of the Federal Act which provides as follows:

Section 252(e) of the Federal Act:

### **(e) APPROVAL BY STATE COMMISSION**

- (1) **APPROVAL REQUIRED.** -- Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) **GROUND FOR REJECTION.** -- The State Commission may only reject --

(A) an agreement (or any portion thereof)

adopted by negotiation under subsection (a)  
if it finds that --

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

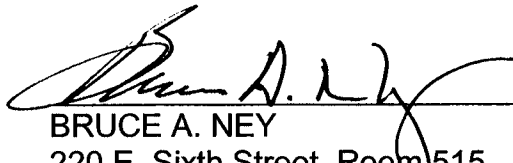
The affidavit of Janet Arnold, Manager-Regulatory Relations, establishes that the modification to the Amendment submitted herein satisfies the standards for approval under the Federal Act. (Affidavit, Attachment II).

#### **IV. KANSAS LAW**

The negotiated and executed modification to the Amendment is consistent with the Kansas regulatory statutes.

#### **V. CONCLUSION**

For the reasons set forth above, AT&T Kansas respectfully requests that the Commission approve this modification to the Amendment previously approved.

  
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220 E. Sixth Street, Room 515  
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(785) 276-8413  
(785) 276-1948 (Facsimile)  
Attorneys for Southwestern Bell Telephone  
Company d/b/a AT&T Kansas

**MODIFICATION  
to  
AMENDMENT UNDER  
SECTIONS 251 AND 252 OF THE  
TELECOMMUNICATIONS ACT OF 1996**

**by and between**

**SOUTHWESTERN BELL TELEPHONE COMPANY**

**d/b/a  
AT&T KANSAS**

**and**

**MCIMETRO ACCESS TRANSMISSION  
SERVICES LLC**

**FURTHER AMENDMENT TO  
AMENDMENT SUPERSEDING CERTAIN RECIPROCAL COMPENSATION, INTERCONNECTION AND  
TRUNKING TERMS**

**BETWEEN**

**ILLINOIS BELL TELEPHONE COMPANY D/B/A AT&T ILLINOIS, INDIANA BELL TELEPHONE COMPANY  
INCORPORATED D/B/A AT&T INDIANA, MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN,  
THE OHIO BELL TELEPHONE COMPANY D/B/A AT&T OHIO, WISCONSIN BELL, INC. D/B/A AT&T  
WISCONSIN, NEVADA BELL TELEPHONE COMPANY D/B/A AT&T NEVADA AND AT&T WHOLESALE,  
PACIFIC BELL TELEPHONE COMPANY D/B/A AT&T CALIFORNIA, THE SOUTHERN NEW ENGLAND  
TELEPHONE COMPANY D/B/A AT&T CONNECTICUT AND SOUTHWESTERN BELL TELEPHONE COMPANY  
D/B/A AT&T ARKANSAS, AT&T KANSAS, AT&T MISSOURI, AT&T OKLAHOMA AND AT&T TEXAS**

**AND**

**MCIMETRO ACCESS TRANSMISSION SERVICES LLC**

The Amendment Superseding Certain Reciprocal Compensation Interconnection and Trunking Terms effective August 1, 2007 by and between Illinois Bell Telephone Company d/b/a AT&T Illinois, Indiana Bell Telephone Company Incorporated d/b/a AT&T Indiana, Michigan Bell Telephone Company d/b/a AT&T Michigan, The Ohio Bell Telephone Company d/b/a AT&T Ohio, Wisconsin Bell, Inc. d/b/a AT&T Wisconsin, Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, Pacific Bell Telephone Company d/b/a AT&T California, The Southern New England Telephone Company d/b/a AT&T Connecticut and Southwestern Bell Telephone Company d/b/a AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma and AT&T Texas ("AT&T") and MCImetro Access Transmission Services LLC ("MCIm") (including those Agreements held by MCIm as successor in interest to Brooks Fiber Communications of Arkansas, Inc., Brooks Fiber Communications of Bakersfield, Inc., Brooks Fiber Communications of Connecticut, Inc., Brooks Fiber Communications of Fresno, Inc., Brooks Fiber Communications of Michigan, Inc., Brooks Fiber Communications of Missouri, Inc., Brooks Fiber Communications of Nevada, Inc., Brooks Fiber Communications of Ohio, Inc., Brooks Fiber Communications of Oklahoma, Inc., Brooks Fiber Communications of Sacramento, Inc., Brooks Fiber Communications of San Jose, Inc., Brooks Fiber Communications of Stockton, Inc., Brooks Fiber Communications of Texas, Inc., Brooks Fiber Communications of Tulsa, Inc.; MCI WORLDCOM Communications, Inc., f/k/a MFS Communications Company, Inc. or MFS Intelenet of Connecticut, Inc. or WorldCom Technologies, Inc. or MCI WorldCom Technologies, Inc., Intermedia Communications LLC) (such Amendment, the "Original Amendment") is hereby amended as follows:

1. Notwithstanding anything to the contrary in Section 1 of the Amendment Superseding Certain Reciprocal Compensation Interconnection and Trunking Terms, the term of the Original Amendment will be extended and shall remain in effect through July 31, 2011. Thereafter, the Original Amendment will remain in full force and effect unless terminated in accordance with the terms thereof.
2. EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT (INCLUDING ANY AMENDMENTS THERETO) SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
3. This Amendment shall be filed with and is subject to approval by the applicable state Commissions.

MCImetro Access Transmission Services LLC

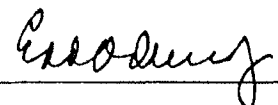
Illinois Bell Telephone Company d/b/a AT&T Illinois, Indiana Bell Telephone Company Incorporated d/b/a AT&T Indiana, Michigan Bell Telephone Company d/b/a AT&T Michigan, Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, The Ohio Bell Telephone Company d/b/a AT&T Ohio, Pacific Bell Telephone Company d/b/a AT&T California, The Southern New England Telephone Company d/b/a AT&T Connecticut, Southwestern Bell Telephone Company d/b/a AT&T Arkansas, AT&T Kansas, AT&T Missouri, AT&T Oklahoma, AT&T Texas, Wisconsin Bell, Inc. d/b/a AT&T Wisconsin by AT&T Operations, Inc., its authorized agent

By: 

Name: **Peter H. Reynolds**  
(Print or Type)

Title: *Director*  
(Print or Type)

Date: *01-28-2009*

By: 

Name: Eddie A. Reed, Jr.

Title: Director-Interconnection Agreements

Date: *1-26-10*



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

Application of Southwestern Bell            )  
Telephone Company, L.P. for Approval    )  
of Interconnection Agreement Under    ) Docket No. 06-SWBT-370-IAT  
the Telecommunications Act of 1996       )  
With MCImetro Access Transmission       )  
Services LLC                                    )

**AFFIDAVIT OF JANET ARNOLD**

STATE OF KANSAS            )  
                                      )       ss  
COUNTY OF SHAWNEE        )

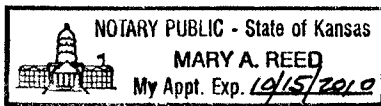
Before me, the Undersigned Authority, on the 5<sup>th</sup> day of February, 2010, personally appeared Janet Arnold of Southwestern Bell Telephone Company d/b/a AT&T Kansas who, upon being by me duly sworn on oath depose and said the following:

1. My name is Janet Arnold. I am over the age of 21, of sound mind and competent to testify to the matters stated herein. I am the Manager-Regulatory Relations for AT&T Kansas, and I have personal knowledge concerning the Amendment superseding Certain Reciprocal Compensation, Interconnection and Trunking Terms ("the Amendment") between AT&T Kansas and MCImetro Access Transmission Services LLC which was approved by the Commission on November 27, 2007 and the proposed modification to that Amendment.
2. This modification extends the term of the original Amendment through July 31, 2011.
3. There are no outstanding issues between the parties that need the assistance of mediation and arbitration relating to the modification to the Amendment.
4. The implementation of this modification to the Amendment is consistent with the public interest, convenience and necessity.

5. This modification to the Amendment does not discriminate against any telecommunications carrier. The modification is available to any similarly situated local service provider in negotiating a similar agreement.
6. The negotiated and executed modification to the Amendment is consistent with Kansas law.

  
\_\_\_\_\_  
Janet Arnold

Subscribed and sworn to before me this 5<sup>th</sup> day of February, 2010.



  
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Notary Public

My Commission Expires: *October 15, 2010*