

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Thomas E. Wright

In the Matter of the Application of)
Southwestern Bell Telephone Company for)
Approval of Interconnection Agreement Under) Docket No. 10-SWBT-653-IAT
the Telecommunications Act of 1996 with)
MCC Telephony of the Midwest, LLC.)

ORDER APPROVING MODIFICATION TO INTERCONNECTION AGREEMENT

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 May 4, 2010, the Commission approved an Interconnection Agreement between Southwestern Bell Telephone Company d/b/a AT&T Kansas ("AT&T Kansas") and MCC Telephony of the Midwest, LLC ("MCC"). On May 29, 2012, AT&T Kansas filed an application for approval of a modification to the Interconnection Agreement. The modification memorializes MCC's authority to use the Access Customer Name Abbreviation ("ACNA") of its parent company, MCC Telephony, LLC. The ACNA of MCC Telephony, LLC is "QMO."

2. Section 252(e)(2) of the Federal Telecommunications Act of 1996 states that State commissions may only reject a negotiated agreement only if it finds that the agreement (or portions thereof) discriminate 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.

3. Commission Staff submitted a Report and Recommendation in regards to the Interconnection Agreement modification on August 6, 2012 attached hereto and made a part hereof by reference. Staff found no evidence to conclude the Interconnection Agreement discriminated against any telecommunications carrier, nor that it is inconsistent with the public interest, convenience, or necessity. Staff recommends approval of the Interconnection Agreement.

4. 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 between AT&T Kansas and MCC is approved.
- B. The parties have fifteen (15) days, plus three (3) 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. 77-529(a)(1).
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Wright, Com.

Dated: AUG 21 2012



ORDER MAILED AUG 21 2012

Patrice Petersen-Klein
Executive Director

MRN

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Mark Sievers, Chairman
Thomas E. Wright, Commissioner

Sam Brownback, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

STATE CORPORATION
COMMISSION

AUG 08 2012

PATRICE PETERSEN-KLEIN
EXECUTIVE DIRECTOR

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright

FROM: Hal Baumhardt

DATE: August 6, 2012

DATE SUBMITTED TO EXECUTIVE DIRECTOR: 8/8/12

DATE SUBMITTED TO LEGAL: 8-13-12 *[initials]*

DATE SUBMITTED TO COMMISSIONERS: 8-14-12

SUBJECT: Docket No. 10-SWBT-653-IAT

In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with MCC Telephony of the Midwest, LLC.

EXECUTIVE SUMMARY:

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 MCC Telephony of Midwest, LLC (MCC) that was originally approved on May 4, 2010. This amendment gives MCC authority to use the Access Customer Name Abbreviation (ACNA) of "QMO" to order/provision services in the state of Kansas.

Staff recommends approval of this amendment to the Agreement between AT&T Kansas and MCC.

BACKGROUND:

On May 29, 2012, AT&T Kansas filed an Application for approval of a modification to the Agreement previously approved on May 4, 2010, between AT&T Kansas and MCC.

AT&T Kansas is the largest local exchange carrier (LEC) operating in Kansas. The Company's largest service areas are Kansas City, Topeka, and Wichita. AT&T Kansas is headquartered in Topeka, Kansas, and its President is S.C. Hahn.

MCC is the nation's seventh largest cable television company and among the leading cable operators focused on serving the smaller cities and towns in the United States. The Company's service areas have a significant concentration in the Midwest and Southern regions and are the leading provider of broadband services in Iowa and the second largest in Illinois. The Company serves more than 1,500 communities throughout the country. Communication services include residential High Speed Data (HSD), residential phone and multi-line business phone, primarily for small business customers. The Company is headquartered in Middleton, New York, and its President is Calvin Craib.

This filing requires Commission action on or before August 27, 2012.

ANALYSIS:

The modification amends this Agreement to memorialize MCC's authority to use the ACNA of "QMO" of its parent Company MCC Telephony, LLC to order/provision service in the state of Kansas. The amended Agreement states that the competitive local exchange carrier (CLEC) will be operating under and submitting its orders with the ACNA of "QMO" that has been issued by Telcordia Technologies, Inc. (Telcordia) for CLEC's parent company MCC Telephony, LLC (Mediacom).

AT&T Kansas affirms that implementation of this Agreement complies fully with Section 252(e) of the Telecommunication Act of 1996 because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. Except as modified herein, all other terms and conditions of the underlying Agreement remain unchanged and in full force.

Both companies are properly registered with the Kansas Secretary of State's Office and are "*active and in good standing*" with that office.

Staff has reviewed the modification to this Agreement between AT&T Kansas and MCC and does not have any concerns regarding this Application.

RECOMMENDATION:

Staff recommends the Commission grant approval for the modification to this Interconnection Agreement between AT&T Kansas and MCC Telephony of Midwest, LLC.

cc: Patrice Petersen-Klein, Executive Director
Jeff McClanahan, Director of Utilities
Christine Aarnes, Chief of Telecommunications

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET
TO THE FOLLOWING:

| NAME AND ADDRESS | NO. CERT. COPIES | NO. PLAIN COPIES |
|--|------------------------|------------------------|
| MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered*** | | |
| ANNA SOKOLIN-MAIMON, VP REGULATORY AFFAIRS MCC TELEPHONY OF MIDWEST, LLC 100 CRYSTAL RUN ROAD MIDDLETOWN, NY 10941 | | |
| BRUCE A. NEY, GENERAL ATTORNEY SOUTHWESTERN BELL TELEPHONE CO. D/B/A AT&T KANSAS 220 SE 6TH AVE RM 515 TOPEKA, KS 66603-3596 | | |

ORDER MAILED **AUG 21 2012**

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.