



Bruce A. Ney
General Attorney-Kansas
Legal

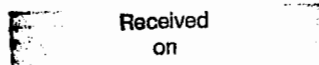
AT&T Kansas
220 SE 6th Street, Suite 515
Topeka, Kansas 66603

2011.07.08 16:57:07
Kansas Corporation Commission
/S/ Patrice Petersen-Klein

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July 8, 2011

Ms. Patrice Petersen-Klein, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027



JUL 08 2011

Re: Docket No. 06-SWBT-237-IAT

by
State Corporation Commission
of Kansas

Dear Ms. Petersen-Klein:

Enclosed for filing with the Commission are an original and three (3) copies of an Application for Approval of a Modification to the Interconnection Agreement ("the Agreement") previously approved between Southwestern Bell Telephone Company d/b/a AT&T Kansas and Windstream NuVox Kansas, Inc. ("Windstream NuVox") on September 14, 2005 in the above-captioned docket. Also enclosed is the supporting Affidavit of Ann Hughes, Area Manager-Regulatory Relations.

This modification changes NuVox Communications of Kansas, Inc.'s name to Windstream NuVox Kansas, Inc. as a party to the agreement. The Agreement, 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. Windstream NuVox is registered as active and in good standing with the Kansas Secretary of State's office.

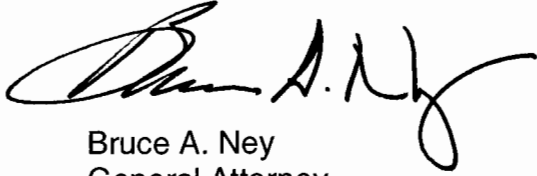
AT&T Kansas files this modification to the Agreement seeking Commission approval of its terms and conditions consistent with the Federal Telecommunications Act of 1996. AT&T Kansas represents and believes in good faith that the implementation of this modification to the Agreement is consistent with the 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 agreement, in keeping with the support for competition previously demonstrated by the Commission. Contact information for Windstream NuVox is listed below.

| CLEC Officer Name: | CLEC Attorney Name: |
|--|---------------------|
| Mary Conquest | |
| Director, Regulatory & Industry Affairs | |
| 2 North Main Street | |
| Greenville, SC 29601 | |
| Phone: 864-331-8252 | |
| Fax: 864-672-5019 | |
| E-mail: Mary.Conquest@windstream.com | |



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 the first name "Bruce" written in a larger, more prominent script than the last name "Ney".

Bruce A. Ney
General Attorney

Enclosures

cc: Ms. Colleen Harrell (transmittal letter only)
Ms. Mary Conquest

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

| | | |
|---------------------------------------|---|----------------------------|
| In the Matter of the Application of |) | |
| Southwestern Bell Telephone, L.P. for |) | |
| Approval of Interconnection Agreement |) | |
| Under the Telecommunications Act of |) | Docket No. 06-SWBT-237-IAT |
| 1996 with NuVox Communications of |) | |
| Kansas, Inc. |) | |

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

Southwestern Bell Telephone Company d/b/a AT&T Kansas hereby files this Application for Approval of a Modification to the Interconnection Agreement ("the Agreement") under the Telecommunications Act of 1996 ("Federal Act") between AT&T Kansas and Windstream NuVox Kansas, Inc. (f/k/a NuVox Communications of Kansas, Inc.) ("Windstream NuVox") and would respectfully show the Kansas Corporation Commission ("Commission") the following:

I. INTRODUCTION

AT&T Kansas presents to this Commission a modification to the Agreement previously negotiated, executed and filed with the Commission on September 7, 2005 pursuant to the terms of the Federal Act. This agreement was approved by the Commission on September 14, 2005. This modification changes NuVox Communications of Kansas, Inc.'s name to Windstream NuVox Kansas, Inc. A copy of the executed Amendment which reflects the parties' agreement to incorporate this modification to the Agreement is attached hereto as Attachment I.

II. REQUEST FOR APPROVAL

AT&T Kansas seeks the Commission's approval of this modification to the Agreement, consistent with the provisions of the Federal Act. The implementation of this modification to the Agreement complies fully with Section 252(e) of the Federal Act because the modification is consistent with the Commission's previous conclusion that the Agreement 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 Agreement, without change, suspension or other delay in its implementation. The Agreement, 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 . . .

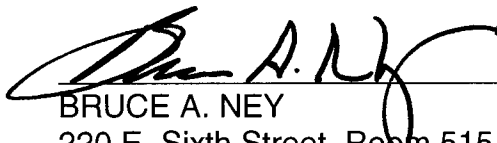
The affidavit of Ann Hughes, Area Manager-Regulatory Relations, establishes that the modification to the Agreement submitted herein satisfies the standards for approval under the Federal Act. (Affidavit, Attachment II).

IV. KANSAS LAW

The negotiated and executed modification to the Agreement 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 Agreement previously approved.



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(785) 276-8413
(785) 276-1948 (Facsimile)
Attorneys for Southwestern Bell Telephone
Company d/b/a AT&T Kansas

**AMENDMENT
to
INTERCONNECTION AGREEMENT 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

WINDSTREAM NUVOX KANSAS, INC.

**AMENDMENT TO
INTERCONNECTION AGREEMENT
BY AND BETWEEN
SOUTHWESTERN BELL TELEPHONE COMPANY d/b/a AT&T KANSAS
AND
NUVOX COMMUNICATIONS OF KANSAS, INC.**

The Interconnection Agreement by and between Southwestern Bell Telephone Company¹ d/b/a AT&T Kansas ("AT&T Kansas") and Windstream NuVox Kansas, Inc. (f/k/a NuVox Communications of Kansas, Inc.), is hereby amended as follows.

WHEREAS, AT&T Kansas and NuVox Communications of Kansas, Inc. ("NuVox") are the parties to that certain "Interconnection Agreement" dated as of September 6, 2005 (the "Agreement"); and

WHEREAS, NuVox has changed its name to "Windstream NuVox Kansas, Inc.", and wishes to reflect that name change as set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, AT&T Kansas and Windstream NuVox hereby agree as follows:

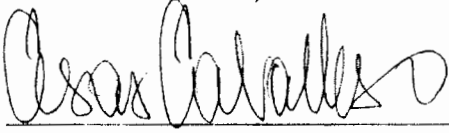
1. The Agreement is hereby amended to reflect the name change from "NuVox Communications of Kansas, Inc." to "Windstream NuVox Kansas, Inc."
2. AT&T Kansas shall reflect that name change from "NuVox Communications of Kansas Inc." to "Windstream NuVox Kansas, Inc." only for the main billing account (header card) for each of the accounts previously billed to NuVox. AT&T Kansas shall not be obligated, whether under this Amendment or otherwise, to make any other changes to AT&T Kansas' records with respect to those accounts, including to the services and items provided and/or billed thereunder or under the Agreement. Without limiting the foregoing, Windstream NuVox affirms, represents, and warrants that the ACNA and OCN for those accounts shall not change from that previously used by NuVox with AT&T Kansas for those accounts and the services and items provided and/or billed thereunder or under the Agreement.
3. Once this Amendment is effective, Windstream NuVox shall operate with AT&T Kansas under the "Windstream NuVox Kansas, Inc." name for those accounts. Such operation shall include, by way of example only, submitting orders under Windstream NuVox, and labeling (including re-labeling) equipment and facilities with Windstream NuVox.
4. NuVox Communications of Kansas, Inc. is responsible for paying normal applicable service order processing/administration charges and/or nonrecurring charges for each service order submitted by NuVox Communications of Kansas, Inc., or by AT&T Kansas on behalf of NuVox Communications of Kansas, Inc., for updating billing accounts and End User records.
5. This Amendment shall not modify or extend the Effective Date or Term of the underlying Agreement, but rather, shall be coterminous with such Agreement.
6. EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
7. In entering into this Amendment, neither Party waives, and each Party expressly reserves, any rights, remedies or arguments it may have at law or under the intervening law or regulatory change provisions in the underlying

¹ On December 30, 2001, Southwestern Bell Telephone Company (a Missouri corporation) was merged with and into Southwestern Bell Texas, Inc. (a Texas corporation) and, pursuant to Texas law, was converted to Southwestern Bell Telephone, L.P., a Texas limited partnership. On June 29, 2007, Southwestern Bell Telephone, L.P., a Texas limited partnership, was merged with and into SWBT Inc., a Missouri corporation, with SWBT Inc. as the survivor entity. Simultaneous with the merger, SWBT Inc. changed its name to Southwestern Bell Telephone Company. Southwestern Bell Telephone Company is doing business in Kansas as "AT&T Kansas."

Agreement (including intervening law rights asserted by either Party via written notice predating this Amendment) with respect to any orders, decisions, legislation or proceedings and any remands thereof, which the Parties have not yet fully incorporated into this Agreement or which may be the subject of further review.

8. This Amendment shall be filed with and is subject to approval by the State Commission and shall become effective ten (10) days following approval by such Commission.

Windstream NuVox Kansas, Inc.

By: 

Printed: Cesar Calallero

Title: VP - Regulatory Strategy
(Print or Type)

Date: 6/7/2011

Southwestern Bell Telephone Company d/b/a AT&T
Kansas by AT&T Services, Inc., its authorized agent

By: 

Printed: Patrick Doherty

Title: Director - Regulatory
(Print or Type)

Date: JUN 14 2011

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ACNA - GBU

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

In the Matter of the Application of)
Southwestern Bell Telephone, L.P. for)
Approval of Interconnection Agreement)
Under the Telecommunications Act of)
1996 with NuVox Communications of)
Kansas, Inc.)
Docket No. 06-SWBT-237-IAT

AFFIDAVIT OF ANN HUGHES

STATE OF KANSAS)
)
COUNTY OF SHAWNEE) ss

Before me, the Undersigned Authority, on the 6th day of July, 2011, personally appeared Ann Hughes 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:

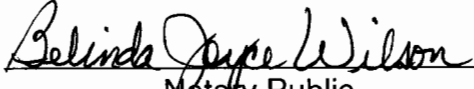
1. My name is Ann Hughes. I am over the age of 21, of sound mind and competent to testify to the matters stated herein. I am the Area Manager-Regulatory Relations for AT&T Kansas, and I have personal knowledge concerning the Interconnection Agreement ("the Agreement") between AT&T Kansas and Windstream NuVox Kansas, Inc. (f/k/a NuVox Communications of Kansas, Inc.) which was approved by the Commission on September 14, 2005, and the proposed modification to that Agreement.
2. This modification changes NuVox Communications of Kansas, Inc.'s name to Windstream NuVox Kansas, Inc.
3. There are no outstanding issues between the parties that need the assistance of mediation and arbitration relating to the modification to the Agreement.
4. The implementation of this modification to the Agreement is consistent with the public interest, convenience and necessity.

5. This modification to the Agreement 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 Agreement is consistent with Kansas law.


Ann Hughes

Subscribed and sworn to before me this 6th day of July, 2011.




Notary Public

My Commission Expires: January 26, 2015