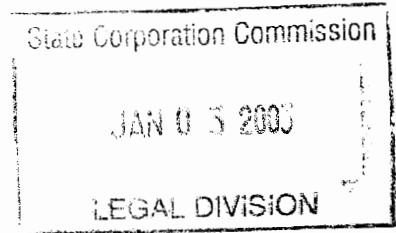


**MEMORANDUM  
UTILITIES DIVISION**



**TO:** Chair Wine  
Commissioner Claus  
Commissioner Moline

**FROM:** Ross Miller

**DATE:** December 31, 2002

**DATE SUBMITTED TO LEGAL:** 1/2/03

**DATE SUBMITTED TO COMMISSIONERS:** 1/16/03

**RE:** Docket No. 03-SWBT-301-IAT

In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Sprint Communications Company, L.P.

**BACKGROUND:**

This application was filed on December 27, 2002, by Southwestern Bell Telephone L.P. d/b/a SBC Kansas ("SBC"), formerly Southwestern Bell Telephone Company, seeking Approval of a second modification to the Interconnection Agreement ("Agreement") between SBC and Sprint Communications Company, L.P. ("Sprint"). The Agreement filed in this Docket on October 9, 2002, and a first amendment thereto executed on October 1, 2002, were concurrently approved by the Kansas Corporation Commission ("KCC" or "Commission") on November 12, 2002.

The first Amendment to this Agreement consisted of Amendment/UNE that was taken directly from the standard K2A agreement. This second modification corrects a typographical error in Section 14.4.1.2.3 of the UNE Appendix. This modification shall be effective upon approval by the KCC.

By the terms negotiated between the parties, this Amendment will become an integral part of the existing Agreement, and it shall terminate coterminous with the termination date of the Agreement itself. The termination date of the Agreement is November 24, 2004, however, it may remain in full force and effect thereafter until terminated by either Party.

**ANALYSIS:**

Staff has reviewed this second amendment to the Agreement between SBC and Sprint for

the interconnection of local telecommunications services. The proposed amendment is comprised of the following:

Amendment – Correct Typographical Error, pages 1 – 3, dated 12/09/02.

It corrects a typographical error in Section 14.4.1.2.3 of the UNE Appendix by changing the reference from “SBC 2-state” to “SBC 12-state.”

All other terms and conditions remain the same.

This is the only modification to the Agreement proposed in this filing. The revision included with this Amendment shall terminate when the Agreement terminates.

The parties believe approval is consistent with the public interest, convenience and necessity. They indicate the Agreement and this second amendment thereto do not discriminate against any telecommunications carrier. They contend it promotes diversity of local service providers, provides interconnectivity and increases customer’s choices for telecommunications services.

To the extent this Company’s presence increases the options for local telephone services, Staff believes the public will generally benefit from Commission approval of the Agreement and the first modification thereto. The registry of Sprint Communications Company, L.P. with the office of the Kansas Secretary of State is currently “active and in good standing.”

Staff is now prepared to make its recommendation.

#### **RECOMMENDATION:**

Staff recommends the Commission grant approval of this application for a second amendment to the Agreement between Sprint Communications Company, L.P. and Southwestern Bell Telephone L.P. d/b/a SBC Kansas for the interconnection of local telecommunications services. Effective immediately upon approval by the KCC, this Agreement shall remain in force until the termination date of November 24, 2004, and may remain in full force and effect thereafter until terminated by either Party.

cc: Joseph White  
Janet Buchanan  
Tom Behner

Jeffrey S. Wagaman  
Public Administrator  
Pat Shurtz

Eva Powers  
Bret Lawson