

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

Received
on

MAY 29 2012

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

Docket No. ¹⁰~~99~~-SWBT-⁶⁵³~~344~~-IAT

by
State Corporation Commission
of Kansas

**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 MCC Telephony of Midwest, LLC ("MCC") 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 April 7, 2010 pursuant to the terms of the Federal Act. The Commission issued an order approving the Agreement on May 4, 2010. This modification amends the Agreement to memorialize MCC's authority to use the ACNA "QMO" of its parent company, MCC Telephony, LLC, to order/provision service in the State of Kansas. 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 modifications are 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 . . .

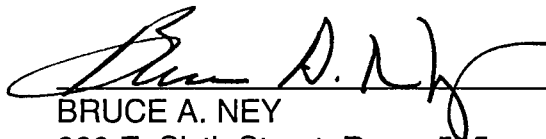
The affidavit of Ann Hughes, Director-Regulatory, establishes that the modification to the Agreement submitted herein satisfies the standards for approval under the Federal Act. (Affidavit, Attachment II).

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) 276-1948 (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

MCC TELEPHONY OF MIDWEST, LLC.

**AMENDMENT TO THE AGREEMENT
BETWEEN
MCC TELEPHONY OF MIDWEST, LLC
AND
SOUTHWESTERN BELL TELEPHONE COMPANY d/b/a AT&T KANSAS**

This Amendment (the "Amendment") amends the MFN Agreement wherein MCC Telephony of Midwest, LLC ("CLEC") adopted the Interconnection Agreement by and between Southwestern Bell Telephone Company d/b/a AT&T Kansas ("AT&T Kansas") and Access Point, Inc. AT&T Kansas and CLEC are hereinafter referred to collectively as the "Parties" and individually as a "Party."


WHEREAS, AT&T Kansas and CLEC are Parties to an MFN Agreement wherein MCC Telephony of Midwest, LLC adopted the above described Interconnection Agreement under Sections 251 and 252 of the Communications Act of 1934, as amended (the "Act"), and such Agreement was approved on June 1, 2011 by the Kansas Corporation Commission (the "Agreement");

NOW, THEREFORE, in consideration of the promises and mutual agreements set forth herein, the Parties agree to amend the Agreement as follows:

1. Notwithstanding any provision or interpretation of the Agreement, CLEC certifies that it will be operating under and submitting its orders with the Access Customer Name Abbreviation ("ACNA") of "QMO", which has been issued by Telcordia Technologies, Inc. ("Telcordia") for CLEC's parent company, MCC Telephony, LLC ("Mediacom"). CLEC also certifies and represents that it is duly authorized to use the ACNA listed above, and that all charges due under this Agreement for orders submitted by CLEC using this ACNA will be the responsibility of CLEC. CLEC shall provide the ACNA via the CLEC Profile within thirty (30) calendar days of the Effective Date. CLEC shall provide the Access Service Requests (ASRs) or Local Service Requests (LSRs), as required, to update the ACNA within thirty (30) calendar days of the Effective Date. CLEC shall not order products or services under this Agreement utilizing the ACNA listed above until both (a) the CLEC Profile is in "Completed" status for the addition of the new ACNA listed above, and (b) the CLEC has submitted ASRs or LSRs and they have successfully posted as set forth in this Section.
2. In the event that Mediacom begins to use ACNA QMO to order and provision service in the State of Kansas, CLEC agrees that it will (1) immediately cease using ACNA QMO, and (2) promptly modify all records to replace ACNA QMO with a suitable ACNA of its own.
3. EXCEPT AS MODIFIED HEREIN, ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
4. This Amendment shall not modify or extend the Effective Date or Term of the underlying Agreement, but rather, shall be coterminous with such Agreement.
5. This Amendment shall be filed with and is subject to approval by the Kansas Corporation Commission and shall become effective ten (10) days following approval by such Commission. ("Effective Date").

MCC Telephony of Midwest, LLC

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

By: 

By: 

Printed: Daniel P. Templin

Printed: Patrick Doherty

Title: President
(Print or Type)

Title: Director - Regulatory

Date: 5/4/2012

Date: 5 - 9 - 12

CLEC OCN

KANSAS

183G

ACNA

QMW, QMO

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. 10-SWBT-653-IAT
the Telecommunications Act of 1996)
with MCC Telephony of Midwest, LLC)

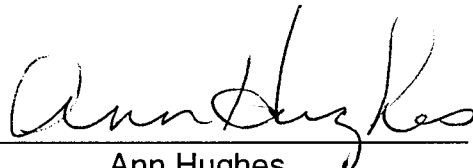
AFFIDAVIT OF ANN HUGHES

STATE OF KANSAS)
) ss
COUNTY OF SHAWNEE)

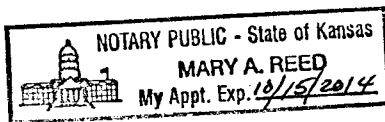
Before me, the Undersigned Authority, on the 25th day of May, 2012, personally appeared Ann Hughes of Southwestern Bell Telephone Company d/b/a AT&T Kansas who, upon being by me duly sworn on oath deposed and said the following:

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 Director-Regulatory for AT&T Kansas, and I have personal knowledge concerning the Interconnection Agreement ("the Agreement") between AT&T Kansas and MCC Telephony of Midwest, LLC, which was approved by the Commission on May 4, 2010 and the proposed modification to that Agreement.
2. This modification amends the Agreement to memorialize MCC's authority to use the ACNA "QMO" of its parent company, MCC Telephony, LLC, to order/provision service in the State of Kansas.
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 25th day of May, 2012.




Notary Public

My Commission Expires: *October 15, 2014*



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General Attorney-Kansas
Legal

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May 29, 2012

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

Received
on

MAY 29 2012

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

Dear Ms. Petersen-Klein:

by
State Corporation Commission
of Kansas

Enclosed for filing with the Commission are an original and two (2) 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 MCC Telephony of Midwest, LLC ("MCC") on May 4, 2010 in the above-captioned docket. Also enclosed is the supporting Affidavit of Ann Hughes, Director-Regulatory.

This modification amends the Agreement to memorialize MCC's authority to use the ACNA "QMO" of its parent company, MCC Telephony, LLC, to order/provision service in the State of Kansas. 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. MCC 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.

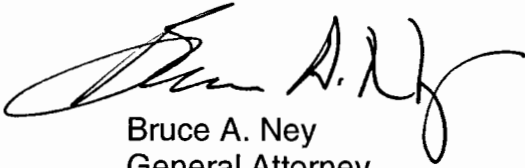
Contact information for MCC is listed below.

CLEC Officer Name:	
Anne Sokolin-Maimon	
Vice President-Regulatory Affairs	
100 Crystal Run Road	
Middletown, NY 10941	
Phone: 845-695-2610	
Fax: 845-695-2669	

E-mail: amaimon@mediacomcc.com	
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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: Bob Fox (transmittal letter only)
Anne Sokolin-Maimon