

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

Before Commissioners: Thomas E. Wright, Chairman  
Michael C. Moffet  
Joseph F. Harkins

In the Matter of the Application of Southwestern )  
Bell Telephone Company for Approval of ) Docket No. 08-SWBT-940-IAT  
Interconnection Agreement Under the ) Telecom-LEC  
Telecommunications Act of 1996. )

**ORDER APPROVING INTERCONNECTION AGREEMENT**

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and having been duly advised in the premises, the Commission finds and concludes as follows:

1. On April 11, 2008, Southwestern Bell Telephone, L.P. d/b/a AT&T Kansas ("AT&T") filed an application for approval of a Master Interconnection Collocation and Resale Agreement ("Agreement") between AT&T and Bandwidth.com CLEC, LLC ("Bandwidth").

2. On June 23, 2008, the Commission Staff ("Staff") submitted a memorandum recommending Commission approval of this Agreement.

3. Staff reported that Bandwidth was issued a Certificate of Convenience and Authority on January 22, 2008 in docket nos. 08-BDWT-405-COC, offering switched local exchange and exchange access, and 08-BDWT-404-COC, offering interexchange service within the state of Kansas. Staff further reports that Bandwidth is properly

registered with the Kansas Secretary of State's office and is currently "active and in good standing" with that office.

4. AT&T affirmed that this agreement complies fully with the Telecommunication Act of 1996, section 252(e) because it is consistent with the public interest, convenience, and necessity, and does not discriminate against any telecommunications carrier not a party to the agreement. AT&T and Bandwidth deem this agreement to promote diversity and to increase telecommunications services in Kansas.

5. Staff reviewed this proposed Agreement and did not have any concerns with approving this application. There are no outstanding issues between the parties that require mediation or arbitration.

6. The Commission finds and concludes that the Agreement between AT&T and Bandwidth should be approved. The implementation of the Agreement is consistent with the public interest, convenience, and necessity, and on its face does not discriminate against any telecommunications provider not a party to the agreement.

**THE COMMISSION THEREFORE ORDERS THAT:**

A. The application of Southwestern Bell Telephone, L.P. d/b/a AT&T Kansas for approval of a Master Interconnection Collocation and Resale Agreement with Bandwidth.com CLEC, LLC is approved

B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing and three (3) days shall be added to the above fifteen (15) day period. K.S.A. 66-118b; K.S.A. 2007 Supp. 77-529.

C. The Commission retains jurisdiction over the subject matter and the parties for entering such further orders, or order, as it may deem necessary.

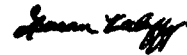
**BY THE COMMISSION, IT IS SO ORDERED.**

Wright, Chmn.; Moffet, Com.; Harkins, Com.

Dated: **JUL 10 2008**

**ORDERED MAILED**

**JUL 11 2008**



**EXECUTIVE  
DIRECTOR**

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Susan K. Duffy  
Executive Director

RLL:dlm