

**MEMORANDUM
UTILITIES DIVISION**

TO: Thomas E. Wright, Chairman
Michael C. Moffet, Commissioner
Joe F. Harkins, Commissioner

FROM: Guy McDonald, Senior Telecommunications Analyst

DATE: April 3, 2008

DATE SUBMITTED TO LEGAL: 4/4/08

DATE SUBMITTED TO COMMISSIONERS: 04/09/08

SUBJECT: In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications act of 1996 with DSLnet Communications, LLC
Docket No. 06-SWBT-438-IAT

BACKGROUND:

On March 31, 2008, Southwestern Bell Telephone, L.P., d/b/a AT&T Kansas (AT&T), filed an Application for approval of a Modification to an Interconnection Agreement between themselves and DSLnet Communications, LLC (DSLnet).

AT&T and DSLnet are certificated Local Exchange Carriers in the State of Kansas serving both urban and rural exchange areas. At the time of this filing, both are properly registered with the Kansas Secretary of State's office and are 'active and in good standing' with the Secretary's office. Both are current with their KUSF assessments and KCC fees.

Commission action in this matter is required not later than **Friday, June 27, 2008.**

ANALYSIS:

This modification seeks to revise the original agreement, approved by the commission on November 1, 2005, by extending the agreement's expiration date to December 11, 2011.

The parties present this Modification to their previously approved Interconnection Agreement as an integrated package, the result of negotiations and compromise. The parties state that there are no outstanding issues in need of mediation or arbitration.

Section 252(e) of the Federal Act states that state commissions may reject a negotiated agreement only if it finds that the agreement (or portions thereof) discriminates 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. Staff has reviewed this proposed Modification and finds no such cause for concern with this filing.

RECOMMENDATION:

Staff recommends commission approval.

cc: Don Low, Janet Buchanan

Tom Stratton, Bob Lehr

Susan Duffy, Pat Shurtz