

MEMORANDUM
UTILITIES DIVISION

TO: Chairman Wright
Commissioner Moffet
Commissioner Harkins

FROM: Christine Aarnes

DATE: August 25, 2008

DATE SUBMITTED TO LEGAL: _____

DATE SUBMITTED TO COMMISSIONERS: 9-9-08

RE: Docket No. 08-SWBT-1136-IAT

In the Matter of the Application of Southwestern Bell Telephone Company for
Approval of Interconnection Agreement Under the Telecommunications Act of
1996 With Neutral Tandem-Kansas, LLC.

BACKGROUND:

On June 24, 2008, Southwestern Bell Telephone Company d/b/a AT&T Kansas ("AT&T") filed an application for approval of an Interconnection Agreement with Neutral Tandem-Kansas, LLC ("Neutral Tandem-Kansas").

Commission action on this matter is required no later than **September 22, 2008**.

ANALYSIS:

Neutral Tandem-Kansas was granted a certificate to operate as a Competitive Local Exchange Carrier in the state of Kansas in Docket No. 08-NTKC-795-COC on May 30, 2008. Neutral Tandem-Kansas is properly registered with the Kansas Secretary of State's office and is currently "active and in good standing" with the Secretary's office.

AT&T asserts that implementation of this agreement complies fully with Section 252(e) of the Telecommunications Act of 1996 because the agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

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 the

modification and finds no such cause for concern from this filing.

RECOMMENDATION:

Staff has reviewed the modification and finds no indications that other parties may be disadvantaged or negatively impacted by its approval. Staff recommends commission approval of the negotiated agreement.

cc: Don Low
Pat Shurtz

Susan Duffy
Colleen Harrell

Tom Stratton