

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

Before Commissioners:                    Andrew J. French, Chairperson  
   Dwight D. Keen  
   Annie Kuether

In the Matter of the Application of Southwestern    )  
Bell Telephone Company, LLC, for Approval of    )  
Interconnection Agreement Under the            )       Docket No. 25-SWBT-323-IAT  
Telecommunications Act of 1996 With            )  
Brightspeed Broadband, LLC.                     )

**ORDER APPROVING INTERCONNECTION AGREEMENT**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination. Having examined its files and records, the Commission finds and concludes:

1. On February 19, 2025, Southwestern Bell Telephone Company d/b/a AT&T Kansas (“AT&T Kansas”) filed an application requesting Commission approval of an Interconnection Agreement between AT&T Kansas and Brightspeed Broadband, LLC (“Brightspeed”).<sup>1</sup>

2. AT&T Kansas is the largest telecommunication carrier operating in Kansas and maintains the status of an “electing carrier,” with major service areas in Kansas City, Topeka and Wichita. It is headquartered in Topeka, Kansas.<sup>2</sup>

3. Brightspeed, formerly known as CenturyTel Broadband Services, LLC, was granted a Certificate of Convenience and Authority in the State of Kansas on November 18, 2021, in Docket No. 22-CYBT-164-COC as a Competitive Local Exchange Carrier (CLEC).<sup>3</sup>

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<sup>1</sup> Application and Staff’s Report and Recommendation (Feb. 25, 2025), p. 1.

<sup>2</sup> *Id.*, p. 2.

<sup>3</sup> *Id.* and *Order Approving Certificate of Public Convenience and Necessity (CLEC)*, Docket No. 22-CYBT-164-COC, dated Nov. 18, 2021.

4. AT&T Kansas states that the Interconnection Agreement between AT&T Kansas and Brightspeed was executed on December 17, 2024, and interconnects local exchange networks of AT&T Kansas and Brightspeed at mutually agreed upon Points of Interconnect to provide telephone exchange services and exchange access to residents and business end users in Kansas.<sup>4</sup> AT&T Kansas represents the Agreement fully complies with Section 252(e) of the Telecommunications Act of 1996 (“Federal Act”) and is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.<sup>5</sup>

5. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. K.S.A. 66-1,190 requires all telecommunications public utilities doing business in Kansas to:

...publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate, and shall furnish the commission copies of all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities.

6. Section 252(e)(2) of the Federal Act requires the Commission to presume that interconnection agreements are entered into through negotiation and submitted for Commission approval are valid unless:

- (1) the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience, and authority.<sup>6</sup>

7. On February 25, 2025, the Commission Staff (“Staff”) submitted its Report and Recommendation (“R&R”), advising the Commission to approve the Agreement between AT&T

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<sup>4</sup> *Id.* p.2.

<sup>5</sup> 47 U.S.C. §252(e)(2)

<sup>6</sup> *Id.*

Kansas and Brightspeed. Staff acknowledges the Agreement is in compliance with Section 252(e) of the Federal Act and supports approval of the Agreement as being consistent with the public interest and convenience and necessity. Both AT&T Kansas and Brightspeed are properly registered with the Kansas Secretary of State's office and their status with that office is active and in good standing.<sup>7</sup> Staff accordingly recommends the Commission grant AT&T Kansas' Application and approve the Agreement.<sup>8</sup>

8. The Commission adopts Staff's R&R of February 25, 2025, as findings, which is attached and made a part hereto, and that AT&T Kansas' Application should be granted.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Southwestern Bell Telephone Company d/b/a AT&T Kansas' Application filed February 19, 2025, is hereby granted and the Interconnection Agreement between AT&T Kansas and Brightspeed Broadband, LLC is hereby approved.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>9</sup>

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

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

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 03/11/2025



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Abigail D. Emery  
Acting Secretary to the Commission

PJH

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<sup>7</sup> R&R, p. 2.

<sup>8</sup> *Id.* pp. 2-3.

<sup>9</sup> K.S.A. 66-118b; K.S.A. 77-503(c); and K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

**TO:** Andrew J. French, Chairperson  
Dwight D. Keen, Commissioner  
Annie Kuether, Commissioner

**FROM:** Hemant Bhagat, Senior Telecommunications Analyst  
Steve Garrett, Deputy Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** February 25, 2025

**RE:** Docket No. 25-SWBT-323-IAT

In the Matter of the Application of Southwestern Bell Telephone Company, LLC, for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 With Brightspeed Broadband, LLC.

**EXECUTIVE SUMMARY:**

On February 19, 2025, Southwestern Bell Telephone Company d/b/a (AT&T Kansas) filed an Application with the Kansas Corporation Commission (Commission) for Approval of an Interconnection Agreement (Agreement) with Brightspeed Broadband, LLC. (Brightspeed) under the Telecommunications Act of 1996. Staff recommends approval of the filing.

The Commission action date is May 19, 2025.

**BACKGROUND:**

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. K.S.A. 66-1,190 requires all telecommunications public utilities doing business in Kansas over which the Commission has control to “publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate, and shall furnish the commission copies of all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities.”

The U.S. Congress and the Federal Communications Commission (FCC) have pre-empted certain aspects of state regulation of interconnection between telecommunications carriers. Section 252(e)(2) of the Federal Telecommunications Act of 1996 (47 U.S.C. §252(e)(2)) requires the

Commission to presume that interconnection agreements entered into through negotiation and submitted for Commission approval are valid unless:

- 1) the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- 2) the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience, and necessity.

**ANALYSIS:**

AT&T Kansas requests the Commission issue its Order approving the interconnection agreement between AT&T Kansas and Brightspeed executed on December 17, 2024. The Agreement consists of 678 pages and 17 attachments, with terms and conditions and pricing schedules. The Agreement seeks approval to interconnect local exchange networks of AT&T Kansas and Brightspeed at mutually agreed upon Points of Interconnection to provide Telephone Exchange Services and Exchange Access to residential and business end users in Kansas.

AT&T Kansas is a wholly owned subsidiary of AT&T Inc. and is the largest Incumbent Local Exchange Carrier (LEC) operating in Kansas. The Company's largest service areas are Kansas City, Topeka, and Wichita. AT&T Kansas is headquartered in Topeka, Kansas.

Brightspeed, formerly known as CenturyTel Broadband Services, LLC<sup>1</sup>, was granted Certificates of Convenience and Authority in the State of Kansas on November 18, 2021, in Docket No. 22-CYBT-164-COC as a Competitive Local Exchange Carrier (CLEC).

AT&T Kansas represents that implementation of this Agreement complies fully with Section 252(e) of the Federal Act and believes approval is consistent with the public interest, convenience, and necessity and does not discriminate against any telecommunications carrier. AT&T Kansas and Brightspeed are both "Active and in Good Standing" with the Kansas Secretary of State's Office.<sup>2</sup> Both Companies are current with the Kansas Universal Service Fund (KUSF), Commission Assessments, and the Annual Interrogatory.

Staff reviewed the Agreement and did not find any language that discriminates against other telecommunications carriers not a party to the Agreement. The pricing schedules in the Agreement are the agreed upon rates between AT&T Kansas and Brightspeed. The Commission has no influence for the established rates in the pricing schedules of the Agreement nor will have influence in any future amendments to rates or rate disputes. Staff does not have concerns regarding this Application. Implementation of this Agreement is in the public interest because it provides additional telecommunications carrier options for the consumer.

Staff further finds that the AT&T Kansas and Brightspeed Agreement was the result of negotiation and compromise and that there are no outstanding issues between the parties that need the assistance of mediation or arbitration pursuant to 47 U.S.C. § 252 – Procedures for negotiation, arbitration, and approval of agreements.

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<sup>1</sup> *Order Approving Name Change*, Docket No. 24-CYBT-208-CCN, dated Oct. 12, 2023.

<sup>2</sup> Kansas Secretary of State's Office, last viewed February 26, 2025.

<https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>

**RECOMMENDATION:**

Staff recommends the Commission grant approval of this Interconnection Agreement between AT&T Kansas and Brightspeed.

**CERTIFICATE OF SERVICE**

25-SWBT-323-IAT

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 03/11/2025.

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