

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Mark Sievers, Chairman
Thomas E. Wright
Shari Feist Albrecht

In the Matter of the Application of)
Southwestern Bell Telephone Company for)
Approval of Interconnection Agreement Under) Docket No. 13-SWBT-321-IAT
the Telecommunications Act of 1996 With)
Nex-Tech, Inc.)

ORDER APPROVING INTERCONNECTION AGREEMENT

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission") for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

1. On October 26, 2012, Southwestern Bell Telephone Company d/b/a AT&T Kansas ("SWBT") filed an application for approval of an Interconnection Agreement between SWBT and Nex-Tech, Inc. ("Nex-Tech").

2. Section 252(e)(2) of the Federal Telecommunications Act of 1996 states that State commissions may only reject a negotiated agreement 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.

3. Commission Staff ("Staff") submitted a Report and Recommendation in regards to the Interconnection Agreement on December 13, 2012, attached hereto and made a part hereof by reference. Staff found no evidence to conclude the Interconnection Agreement discriminated

against any telecommunications carrier, nor that it was inconsistent with the public interest, convenience, or necessity. Staff recommended approval of the Interconnection Agreement.

4. The Commission finds Staff's findings and recommendation to be reasonable and hereby adopts the same.


IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. The Interconnection Agreement between SWBT and Nex-Tech is approved.
- B. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529(a)(1).
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further order, or orders, as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn.; Wright, Com.; Albrecht, Com.

Dated: DEC 27 2012


ORDER MAILED DEC 27 2012
Patrice Petersen-Klein
Executive Director

MRN

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Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

STATE CORPORATION
COMMISSION

DEC 17 2012

TO: Chairman Mark Sievers
Commissioner Thomas E. Wright
Commissioner Shari Feist Albrecht

PATRICE PETERSEN-KLEIN
EXECUTIVE DIRECTOR

FROM: Kelly Mabon, Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: December 13, 2012

DATE SUBMITTED TO EXECUTIVE DIRECTOR: 12/17/12

DATE SUBMITTED TO LEGAL: 12/17/12

DATE SUBMITTED TO COMMISSIONERS: 12-18-12

SUBJECT: Docket No. 13-SWBT-321-IAT
In the Matter of the Application of Southwestern Bell Telephone
Company for Approval of Interconnection Agreement Under the
Telecommunications Act of 1996 With Nex-Tech, Inc.

BACKGROUND:

On October 26, 2012, Southwestern Bell Telephone Company d/b/a AT&T Kansas (SWBT) filed an Application for approval of an Interconnection Agreement with Nex-Tech, Inc. Staff recommends approval of this Application.

The Commission action date is **Thursday, January 24, 2013.**

ANALYSIS:

SWBT contends 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.

Having reviewed the Agreement between SWBT and Nex-Tech, Inc., Staff finds no evidence to conclude this Agreement discriminates against any telecommunications

carrier, nor is inconsistent with public interest, convenience, or necessity. Staff believes the public will generally benefit from KCC approval of this Application.

Nex-Tech, Inc. is registered with the Kansas Secretary of State and is active and in good standing with that office.

RECOMMENDATION:

Staff recommends the Commission grant approval of this Application for an Interconnection Agreement between SWBT and Nex-Tech, Inc.

The Company is reminded to file timely Annual Reports.

cc: Patrice Petersen-Klein, Executive Director
Jeff McClanahan, Director of Utilities
Christine Aarnes, Chief of Telecommunications

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		
RHONDA GODDARD, COO NEX-TECH, INC. 145 N. MAIN PO BOX 158 LENORA, KS 67645		
BRUCE A. NEY, GENERAL ATTORNEY SOUTHWESTERN BELL TELEPHONE CO. D/B/A AT&T KANSAS 220 SE 6TH AVE RM 515 TOPEKA, KS 66603-3596		

ORDER MAILED **DEC 27 2012**

The Docket Room hereby certified that on this _____ day of _____, 20____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.