

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

Before Commissioners: Pat Apple, Chairman
Shari Feist Albrecht
Jay Scott Emler

In the Matter of the Application of)
Southwestern Bell Telephone, LP for)
Approval of Interconnection Agreement) Docket No. 06-SWBT-376-IAT
Under the Telecommunications Act of)
1996 with Trinsic Communications, Inc.)

ORDER APPROVING AMENDED 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 record, and being duly advised in the premises, the Commission finds and concludes as follows:

1. On July 27, 2017, Southwestern Bell Telephone Company d/b/a AT&T Kansas (SWBT) filed an Application requesting Commission approval of a modification to the Interconnection Agreement approved by the Commission on October 26, 2005, between SWBT and Trinsic Communications, Inc., now Matrix Telecom, LLC (Matrix). Supplementing its Application, SWBT included a copy of the Amendment to the Interconnection Agreement (Amendment) executed by the parties on June 27, 2017, and the Affidavit of Richard T. Howell, SWBT's Area Manager-Regulatory Relations. SWBT's requested modification changes the name from Matrix Telecom, Inc. to Matrix Telecom, LLC; implements the Federal Communications Commission's (FCC) Lifeline and Link Up Reform and USTelecom Forbearance Orders; adds rates and provisions related to Transit Traffic Services; modifies certain provisions related to Termination of Agreement After Initial Term Expiration; modifies certain provisions related to Customer Information Services; and updates Notices provisions in

the current Agreement.¹ The Interconnection Agreement and proposed Amendment are collectively referred to herein as “amended Agreement”.

2. On October 3, 2017, the Commission Staff (Staff) submitted its Report and Recommendation dated September 29, 2017, recommending the Commission grant SWBT’s Application and approve the amended Agreement between SWBT and Matrix. Staff confirms that the requested modifications amend the current Agreement to include all the modifications referenced in paragraph 1 above. Staff adds that on March 3, 2009, the Commission issued an Order in this Docket changing the company’s name from Trinsic Communications, Inc. to Matrix Telecom, Inc. In a subsequent Order issued March 17, 2015 in this docket, Matrix’s name under the Interconnection Agreement was changed to Matrix Telecom, Inc.; Matrix Telecom, Inc. d/b/a Excel Telecommunications; and Matrix Telecom, Inc. d/b/a VarTec Telecom, which is inclusive of all the “doing business as” names associated with the company. The instant modification changes the name of the company from Matrix Telecom, Inc. to Matrix Telecom, LLC.²

3. The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 2016 Supp. 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.

¹ Application, page 1.

² Report and Recommendation, page 2.

Section 252(e)(2) of the Federal Act [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 portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such an agreement or portion is not consistent with the public interest, convenience, and necessity.

4. AT&T Kansas contends that implementation of the amended Agreement complies fully 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. Staff states that it has reviewed the requested modification and finds no cause for concern regarding this filing. Staff recommends the Commission grant SWBT's Application and approve the amended Agreement, including the modifications listed in paragraph 1 above.³

5. The Commission adopts Staff's analysis and recommendation of September 29, 2017, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by reference, and finds that SWBT's Application should be granted and the amended Agreement between SWBT and Matrix should be approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The July 27, 2017 Application of Southwestern Bell Telephone d/b/a AT&T Kansas is hereby granted and the amended Interconnection Agreement between SWBT and Matrix Telecom, LLC f/k/a Matrix Telecom, Inc. is hereby 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

³Id.

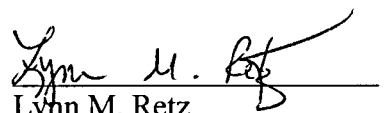
reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2016 Supp. 77-529(a)(1).

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.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: OCT 10 2017


Lynn M. Retz
Secretary to the Commission

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Order Mailed Date

OCT 11 2017

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Pat Apple
Commissioner Shari Feist Albrecht
Commissioner Jay Scott Emler

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

DATE: September 29, 2017

SUBJECT: Docket No. 06-SWBT-376-IAT
In the Matter of the Application of Southwestern Bell Telephone, L.P. for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Trinsic Communications, Inc.

EXECUTIVE SUMMARY:

On July 27, 2017, Southwestern Bell Telephone Company (SWBT) filed a Modification to an Interconnection Agreement (Agreement) between SWBT and Trinsic Communications, Inc. (Matrix). Staff recommends approval of the filing.

The Commission action date is **Wednesday, October 25, 2017.**

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:

On March 3, 2009, the Commission issued an Order in this Docket approving a Modification to this Agreement changing the Company's name from Trinsic Communications, Inc. to Matrix Telecom, Inc. In a subsequent Order in this Docket on March 17, 2015, the Commission approved a Modification to this Agreement changing the name of the Company from Matrix Telecom, Inc. to Matrix Telecom, Inc.; Matrix Telecom Inc. d/b/a Excel Telecommunications; and Matrix Telecom, Inc. d/b/a VarTec Telecom, which is inclusive of all the "doing business as" names associated with the Company, along with other provisions. This modification changes the name from Matrix Telecom, Inc. to Matrix Telecom, LLC.

It also implements the FCC's Lifeline and Link Up Reform and US Telecom Forbearance Orders; adds rates and provisions related to Transit Traffic Services; modifies certain provisions related to Termination of Agreement After Initial Term Expiration; modifies certain provisions related to Customer Information Services; and updates Notices provisions in the current Agreement.

The Applicant is seeking review and approval of a Modification to this Agreement under Section 252(e) of the Federal Telecommunications Act. 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 proposed Modification to the Agreement and finds no such cause for concern with this filing.

RECOMMENDATION:

Staff believes it is in the public interest to grant approval of the Modification to the Agreement between SWBT and Matrix.

CERTIFICATE OF SERVICE

06-SWBT-376-IAT

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on OCT 10 2017.

OTTO NEWTON, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3167
o.newton@kcc.ks.gov
Hand Delivered

BRUCE A. NEY, ATTORNEY
SOUTHWESTERN BELL TELEPHONE CO.
D/B/A AT&T KANSAS
816 CONGRESS AVE
SUITE 1100
AUSTIN, TX 78701-2471
Fax: 512-870-3420
bn7429@att.com

ALEX VALENCIA, VICE PRESIDENT, GOVERNMENT
AFFAIRS & COMPLIANCE
MATRIX TELECOM, LLC
433 E LAS COLINAS BLVD
SUITE 500
IRVING, TX 75039
Fax: 866-418-9750
avalencia@impacttelecom.com

/S/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date

OCT 11 2017