2008.12.08 08:58:10 Kansas Corporation Commission

## THE STATE CORPORATION COMMISSION Susan K. Duffy OF THE STATE OF KANSAS

Before Commissioners:

Thomas E. Wright, Chairman

Michael C. Moffet Joseph F. Harkins

In the Matter of the Application of Southwestern	)	
Bell Telephone Company for Approval of	)	Docket No. 09-SWBT-419-IAT TELECOM-LEC
Interconnection Agreement Under the	)	
Telecommunications Act of 1996 With One	)	
Point Technologies, Inc.	)	

## ORDER APPROVING INTERCONNECTION AGREEMENT

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas ("Commission"). Having examined its files and records, and having been duly advised in the premises, the Commission finds and concludes as follows:

- 1. On November 14, 2008, Southwestern Bell Telephone Company d/b/a AT&T Kansas ("SWBT") filed an application for approval of an Interconnection Agreement ("Agreement") between SWBT and One Point Technologies, Inc. ("One Point").
- 2. On November 18, 2008, the Commission Staff ("Staff") submitted a memorandum recommending Commission approval of this Agreement.
- 3. On February 6, 2008, in Docket No. 07-OPTT-594-COC, this Commission granted One Point authority to operate as a Competitive Local Exchange Carrier in the areas served by both Southwestern Bell and Embarq.

- 4. Staff noted that SWBT is an Incumbent Local Exchange Carrier operating throughout Kansas.
- 5. Staff reported that both SWBT and One Point are properly registered with the Kansas Secretary of State's office and are currently "active and in good standing" with that office. Both companies are current with its KUSF assessments, KCC filing fees, and annual reporting requirements.
- 6. SWBT, in its application, declared that this agreement complies fully with the Telecommunication Act of 1996, section 252(e) because it is consistent with the public interest, convenience, and necessity, and does not discriminate against any telecommunications carrier not a party to the agreement.
- 7. Staff reviewed this proposed Agreement and did not have any concerns with approving this application. There are no outstanding issues requiring mediation or arbitration between the parties.
- 8. The Commission finds and concludes that the Agreement between SWBT and One Point should be approved. The implementation of the Agreement is consistent with the public interest, convenience, and necessity, and on its face does not discriminate against any telecommunications provider not a party to the agreement.

## THE COMMISSION THEREFORE ORDERS THAT:

- A. The application of Southwestern Bell Telephone Company d/b/a AT&T Kansas for approval of an Interconnection Agreement between itself and One Point Technologies, Inc. is approved.
- B. A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete

upon mailing and three (3) days shall be added to the above fifteen (15) day period. K.S.A. 66-118b; K.S.A. 2007 Supp. 77-529.

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

## BY THE COMMISSION, IT IS SO ORDERED.

Wright, Chmn.; Moffet, Com.; Harkins, Com.

Dated: DEC 0 8 2008

ORDERED MAILED

DEC 08 2008

EXECUTIVE

Susan K. Duffy Executive Director

CRH:dlm