

THE STATE CORPORATION COMMISSION
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, L.P. for)	
Approval of Interconnection Agreement)	Docket No. 06-SWBT-438-IAT
Under the Telecommunications act of 1996)	Telecom-LEC
with DSLnet Communications, LLC.)	

ORDER

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

1. On March 31, 2008, Southwestern Bell Telephone Company, L.P., d/b/a AT&T Kansas (AT&T) filed an Application modifying its previously approved Interconnection Agreement (Agreement) between AT&T and DSLnet Communications, LLC. (DSLnet). The Modification extends the expiration date of the Agreement to December 11, 2011.

2. AT&T and DSLnet are both certificated Local Exchange Carriers in rural and urban areas of Kansas. AT&T and DSLnet are both registered with the Kansas Secretary of State's office and are "active and in good standing" with that office, and are current with the Kansas Universal Service Fund assessments and Commission fees.

3. On April 4, 2008, Commission staff (Staff) submitted a memorandum recommending Commission approval of this Modification.

4. Staff stated that AT&T and DSLnet present this Modification as an integrated package, the result of negotiations and compromise. Furthermore, AT&T and DSLnet state that there are no outstanding issues in need of mediation or arbitration.

5. Section 252(e) of the Telecommunications Act of 1996 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 Agreement and finds no such cause for concern with this filing.

6. The Commission finds and concludes that the Modification to the Agreement between AT&T and DSLnet should be approved. The Agreement, as amended, is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Application of Southwestern Bell Telephone Company, L.P., d/b/a AT&T Kansas for approval of a Modification to the Interconnection Agreement with DSLnet Communications, LLC is hereby approved.

B. The parties have fifteen days, plus three 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. 2007 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.

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

Dated: **APR 14 2008** _____

ORDER MAILED

APR 14 2008

 Executive
Director

Susan K. Duffy
Executive Director

RLL:cik