

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 Company for)
Approval of Interconnection Agreement) Docket No. 09-SWBT-609-IAT
Under the Telecommunications Act of 1996)
with HCI Telecom, Inc.)

**ORDER GRANTING APPLICATION FOR
APPROVAL OF 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 and being fully advised in the premises, the Commission finds and concludes as follows:

1. On January 30, 2009, Southwestern Bell Telephone d/b/a AT&T Kansas (SWBT) filed an application for approval of an interconnection agreement between it and HCI Telecom, Inc. (HCI).
2. On April 8, 2009, Commission staff (Staff) filed a memorandum recommending the Commission approve the interconnection agreement between SWBT and HCI. There have been no responses to Staff's memorandum, and no interventions in this docket.
3. Staff's memorandum notes that at the time the application was filed HCI was properly registered to do business in the state of Kansas. HCI was granted a certificate of convenience by the Commission in Docket No. 09-HCIT-245-COC and authorized to provide local exchange service and exchange access service in areas served by SWBT and Embarq. SWBT is an incumbent local exchange carrier operating in the larger metropolitan cities and rural communities throughout Kansas.

4. Staff states the parties present the interconnection agreement as an integrated package, the result of negotiation and compromise, and that there are no outstanding issues in need of mediation or arbitration. Staff's review of the agreement finds no cause for concern and nothing that would prohibit the Commission from approving the agreement.

5. The Commission finds that, based upon Staff's recommendation and the representations of the parties to the agreement, the agreement is consistent with the public interest, convenience and necessity and, as such, the agreement should be approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The application of SWBT for approval of an interconnection agreement between it and HCI is granted for the reasons indicated above.

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. 2008 Supp. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Wright, Chr.; Moffet, Com; Harkins, Com.

Dated: APR 29 2009

ORDERED MAILED

APR 29 2009

 EXECUTIVE
DIRECTOR

Susan K. Duffy
Executive Director

crh