

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Brian J. Moline, Chair
 Robert E. Krehbiel
 Michael C. Moffet

In the Matter of the Application of Southwestern)	
Bell Telephone Company for Approval of)	Docket No. 03-SWBT-305-IAT
Interconnection Agreement Under the)	Telecom - LEC
Telecommunications Act of 1996 with BullsEye)	
Telecom, Inc.)	

ORDER

COMES NOW, the above captioned matter for consideration and determination by the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being fully advised in the premises, the Commission finds and concludes as follows:

1. On October 11, 2002, Southwestern Bell Telephone L.P., d/b/a SBC Kansas (SWBT) filed for approval of an interconnection agreement (Agreement) between it and Bullseye Telecom, Inc. (Bullseye). The Agreement received Commission approval on January 6, 2003.

2. On July 28, 2005, SWBT filed an application seeking approval of a modification to the Agreement between SWBT and Bullseye. The proposed modification amends the Agreement to ensure that the terms and conditions of the Agreement related to specific network elements made available on an unbundled basis under Sections 251(c)(3) and (d)(2) are conformed so as to be consistent with applicable federal law. The Commission previously approved this amendment in an order from Docket No. 05-SWBT-317-GIT.

3. Both companies hold forth that there are no outstanding issues between them that need the assistance of mediation or arbitration. The parties seek Commission authority as required by the Federal Telecommunications Act of 1996.

4. SWBT believes approval of the modification is consistent with the public interest, convenience and necessity. SWBT indicates the Agreement, with the proposed modification, and the attachments incorporated therein are an integrated package and are the result of negotiation and compromise.

5. The Commission finds and concludes that the modification of the Interconnection Agreement between Bullseye Telecom, Inc. and Southwestern Bell Telephone, L.P. d/b/a SBC Kansas should be granted. The implementation of the modification is consistent with the public interest, convenience and necessity and does not, on its face, discriminate against any telecommunications provider not a party to the agreement.

IT IS THEREFORE, BY THE COMMISSION ORDERED:

A. The July 28, 2005 application of Southwestern Bell Telephone, L.P. d/b/a SBC Kansas to modify the interconnection agreement with Bullseye Telecom, Inc. is hereby approved.

B. A party may file a petition for reconsideration of this Order within fifteen days of the service of this Order. If this Order is mailed, service is complete upon mailing, and three days may be added to the above time frame. K.S.A. 66-118, K.S.A 2004 Supp. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Moline, Chr.; Krehbiel, Com.; Moffet, Com.

Dated: SEP 07 2005

ORDER MAILED

SEP 08 2005

 Executive
Director

Susan K. Duffy
Executive Director

BL: ks