

MEMORANDUM
UTILITIES DIVISION

TO: Chairman Wright
Commissioner Moffet
Commissioner Harkins

FROM: Christine Aarnes

DATE: February 19, 2008

DATE SUBMITTED TO LEGAL: 2/20/08

DATE SUBMITTED TO COMMISSIONERS: 2/22/08

RE: Docket No. 05-SWBT-1125-IAT

In the Matter of the Application Southwestern Bell Telephone, L.P. for Approval
of Interconnection Agreement Under the Telecommunications Act of 1996 with
Metropolitan Telecommunications, Inc.

BACKGROUND:

On June 9, 2005, Southwestern Bell Telephone Company d/b/a AT&T Kansas ("SWBT") filed an application for approval of an Interconnection Agreement with Metropolitan Telecommunications, Inc. ("MetTel") under the Telecommunications Act of 1996. On June 29, 2005, the Commission issued an order granting approval of the filed interconnection agreement ("Agreement").

On January 24, 2008, SWBT filed an application for approval of a modification of the Agreement with MetTel. The modification amends the Agreement to extend the expiration date to April 9, 2010.

MetTel is properly registered with the Kansas Secretary of State's office and is currently "active and in good standing" with the Secretary's office.

Commission action on this matter is required no later than **April 23, 2008**.

ANALYSIS:

SWBT presents this Agreement and its attachments as an integrated package, the result of negotiations and compromise. SWBT states there are no outstanding issues between the parties that need the assistance of mediation or arbitration.

SWBT asserts that implementation of this agreement complies fully with Section 252(e) of the

Telecommunications Act of 1996 because the agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier.

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 modification to the Agreement and finds no such cause for concern from this filing.

RECOMMENDATION:

Staff has reviewed the modification to the Agreement and finds no indications that other parties may be disadvantaged or negatively impacted by its approval. Staff recommends commission approval of the modification to the Agreement.

cc: Don Low
Pat Shurtz

Susan Duffy
Bob Lehr

Tom Behner
Tom Stratton