

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)	
Southwestern Bell Telephone, L.P.)	
for Approval of Interconnection Agreement)	Docket No. 05-SWBT-1125-IAT
Under the Telecommunications)	Telecom
Act of 1996 with Metropolitan)	
Telecommunications, Inc.)	

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 January 24, 2008, Southwestern Bell Telephone Company d/b/a AT&T Kansas (Southwestern Bell) filed an Application modifying its previously approved Interconnection Agreement (Agreement) between Southwestern Bell and Metropolitan Telecommunications, Inc. (Metropolitan). The parties entered into the original Agreement upon Commission approval on June 29, 2005. The proposed Modification amends the Agreement to extend the expiration date to April 9, 2010.

2. Southwestern Bell is an incumbent Local Exchange Carrier in Kansas. Southwestern Bell and Metropolitan are both registered with the Kansas Secretary of State's office and are "active and in good standing" with that office. Southwestern Bell and Metropolitan are both current with the Kansas Universal Service Fund assessments and Commission fees.

3. On February 20, 2008, Commission staff (Staff) submitted a memorandum recommending Commission approval of this Modification.

4. Staff stated that Southwestern Bell and Metropolitan present this Modification as an integrated package, the result of negotiations and compromise. Furthermore, Southwestern Bell and Metropolitan 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 Southwestern Bell and Metropolitan should be approved. The Agreement, as modified, 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 for approval of a Modification to the Interconnection Agreement with Metropolitan Telecommunications, Inc. 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: **FEB 25 2008** _____

ORDER MAILED

FEB 26 2008

 Executive
Director

Susan K. Duffy
Executive Director

RLL:cik