

all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities.

Section 252(e)(2) of the Federal Telecommunications Act of 1996 (Federal Act) [47 U.S.C. §252(e)(2)] requires the Commission to presume that interconnection agreements entered into through negotiation and submitted for Commission approval are valid unless:

- (1) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such an agreement (or portion thereof) is not consistent with the public interest, convenience, and necessity.

AT&T Kansas contends that the Agreement fully complies with Section 252(e) of the Federal Act, and that approval of the Agreement is consistent with the public interest, convenience, and necessity, and does not discriminate against any telecommunications carrier. AT&T Kansas further contends that the Agreement promotes diversity in providers, provides interconnectivity, and will increase customer choices for telecommunications services.¹

4. Staff states that it has reviewed the Interconnection Agreement and finds no evidence to conclude that the Agreement discriminates against any telecommunications carrier, nor is the Agreement inconsistent with the public interest, convenience, or necessity. Staff concludes that the Agreement will generally benefit the public and recommends that it be approved. Staff adds that each company is properly registered with the Kansas Secretary of State's office, where the status of each is shown to be *active and in good standing*.²

5. The Commission adopts Staff's analysis and recommendation of July 20, 2016, as stated in its Report and Recommendation, which is attached hereto and made a part hereof by

¹ Application, page 2.

² Report and Recommendation, page 2.

reference, and finds that AT&T Kansas' Application should be granted and the Interconnection Agreement between AT&T Kansas and Entelegent approved.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The May 27, 2016 Application of Southwestern Bell Telephone Company d/b/a AT&T Kansas is hereby granted and the Interconnection Agreement between AT&T Kansas and Entelegent Solutions, Inc. is hereby approved.

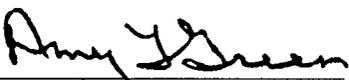
B. The parties have fifteen (15) days, plus three (3) days if service of this Order is by mail, from the date this Order was served in which to petition the Commission for reconsideration of any issue or issues decided. K.S.A. 66-118b; K.S.A. 2015 Supp. 77-529(a)(1).

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.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner.

Dated: AUG 02 2016



Amy L. Green
Secretary to the Commission

oan

Order Mailed Date
AUG 03 2016

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chairman Jay Scott Emler
Commissioner Shari Feist Albrecht
Commissioner Pat Apple

FROM: Kelly Mabon, Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications
Jeff McClanahan, Director of Utilities

DATE: July 20, 2016

SUBJECT: Docket No. 16-SWBT-539-IAT
In the Matter of the Application of Southwestern Bell Telephone Company for Approval of Interconnection Agreement Under the Telecommunications Act of 1996 with Entelegent Solutions, Inc.

EXECUTIVE SUMMARY:

On May 27, 2016, Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T) filed an Application for approval of an Interconnection Agreement with Entelegent Solutions, Inc. Staff recommends approval of this Application.

The Commission action date is **Thursday, August 25, 2016.**

BACKGROUND:

The Commission derives its authority to supervise telecommunications public utilities from K.S.A. 66-1,188. K.S.A. 66-1,190 requires all telecommunications public utilities doing business in Kansas over which the Commission has control to “publish and file with the commission copies of all schedules of rates, joint rates, tolls, charges, classifications and divisions of rates affecting Kansas traffic, either state or interstate, and shall furnish the commission copies of all rules and regulations and contracts between such telecommunications public utilities pertaining to any and all jurisdictional services to be rendered by such telecommunications public utilities.”

The U.S. Congress and the Federal Communications Commission (FCC) have pre-empted certain aspects of state regulation of interconnection between telecommunications

carriers. Section 252(e)(2) of the Federal Telecommunications Act of 1996 (47 U.S.C. §252(e)(2)) requires the Commission to presume that interconnection agreements entered into through negotiation and submitted for Commission approval are valid unless:

- 1) the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- 2) the implementation of such an agreement (or portions thereof) is not consistent with the public interest, convenience, and necessity.

ANALYSIS:

AT&T contends that implementation of this Agreement complies fully with Section 252(e) of the Federal Act and believes approval is consistent with the public interest, convenience, and necessity and does not discriminate against any telecommunications carrier.

Having reviewed the Agreement between AT&T and Entelegent Solutions, Inc., Staff finds no evidence to conclude this Agreement discriminates against any telecommunications carrier, nor is it inconsistent with public interest, convenience, or necessity. Staff believes the public will generally benefit from KCC approval of this Application.

The companies are registered with the Kansas Secretary of State and are active and in good standing with that office.

RECOMMENDATION:

Staff recommends the Commission grant approval of this Application for an Interconnection Agreement between AT&T and Entelegent Solutions, Inc.

CERTIFICATE OF SERVICE

16-SWBT-539-IAT

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on **AUG 02 2016** .

OTTO NEWTON, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3167
o.newton@kcc.ks.gov
Hand Delivered

BRUCE A. NEY, ATTORNEY
SOUTHWESTERN BELL TELEPHONE CO.
D/B/A AT&T KANSAS
816 CONGRESS AVE
SUITE 1100
AUSTIN, TX 78701-2471
Fax: 512-870-3420
bruce.ney@att.com

MICHAEL RUZISKA, VP OF OPERATIONS
ENTELEGENT SOLUTIONS, INC.
3800 ARCO CORPORATE DR STE 310
CHARLOTTE, NC 28273
Fax: 704-504-5868
accounting@entelegent.com

/S/ DeeAnn Shupe
DeeAnn Shupe

Order Mailed Date
AUG 03 2016