

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Southwestern	)	
Bell Telephone Company, d/b/a AT&T Missouri, for	)	
Approval of an Amendment to an Interconnection	)	<u>File No. IK-2014-0233</u>
Agreement under the Telecommunications	)	
Act of 1996	)	

STAFF OPPOSITION TO INTERVENTION

COMES NOW the Staff of the Missouri Public Service Commission and states as follows:

1. On February 20, 2014, Southwestern Bell Telephone Company, d/b/a AT&T Missouri ("AT&T") filed with the Missouri Public Service Commission its Application for Approval of an Amendment to an Interconnection Agreement executed between it and AT&T Corp.

2. On March 10, 2014, tw telecom of kansas city llc ("tw telecom") filed an Application to Intervene. The Staff opposes that application.

3. 47 USC 252(e)(2) provides that a state commission may only reject an interconnection agreement adopted by negotiation if the agreement discriminates against a telecommunications carrier not a party to it or its implementation is not consistent with the public interest, convenience, and necessity. The application by tw telecom fails to raise any objection that would give grounds to the Commission to properly reject the negotiated agreement. Although tw telecom presently has a lower rate for a specific element in its own interconnection agreement, nothing in the agreement presently before the Commission has any effect on tw telecom.

4. All of the potential harms raised by tw telecom are speculative and unripe. The Staff shares tw telecom's concerns about the rate discrepancy and the potential that AT&T may attempt to raise tw telecom's rates. However, it has made no attempt to do so in this case. The Commission may only decide the matter before it. It should neither burden the instant case with unnecessary procedures that cannot alter the actual facts presented, that the agreement has no effect on tw telecom, nor should the Commission include any dicta in its Order concerning the application of TELRIC (total element long-run incremental cost) costing standards to the rate in question. The Commission should wait until it is presented with a request for arbitration before to reaffirms its position that TELRIC rates are required in cases such as this.

WHEREFORE, Staff recommends the Commission deny the Application to Intervene.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 27th day of March, 2014.

A handwritten signature in black ink, appearing to be "All Day".