

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Amendment to Interconnection )  
Agreement between Southwestern Bell Telephone ) **File No. IK-2018-0225**  
Company, d/b/a AT&T Missouri and Bandwidth.com )  
CLEC, LLC d/b/a Bandwidth.com )

## ORDER APPROVING ADOPTION OF AMENDMENTS TO INTERCONNECTION AGREEMENT

Issue Date: March 9, 2018

Effective Date: March 19, 2018

This order approves the adoption by Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T Missouri) and Bandwidth.com CLEC (Bandwidth) of an amendment to an interconnection agreement previously approved by the Commission.

### **Procedural History**

On February 14, 2018, AT&T Missouri filed a letter notifying the Commission of AT&T Missouri and Bandwidth's desire to adopt previously-approved amendments to the interconnection agreement between AT&T Missouri and Peerless Network of Missouri, LLC, approved by the Commission in File No. IK-2017-0054 on September 22, 2016; and between AT&T Missouri and GC Pivotal, LLC, approved by the Commission in File No. IK-2016-0323 on June 23, 2016.

On February 16, 2018, the Commission issued an order directing notice of the adoption to all interexchange and local exchange telecommunication companies and making Bandwidth a party. The notice stated that any party wishing to request a hearing should do so no later than March 5, 2018. No requests for hearing were filed.

On March 6, 2018, the Staff of the Missouri Public Service Commission recommended that the Commission approve the application.

### **Findings of Fact**

After reviewing the file, the Commission finds that AT&T Missouri and Bandwidth intend to adopt the same terms and conditions of the amendments to the interconnection agreement between AT&T Missouri and Peerless Network of Missouri, LLC, approved by the Commission in File No. IK-2017-0054 on September 22, 2016; and between AT&T Missouri and GC Pivotal, LLC, approved by the Commission in File No. IK-2016-0323 on June 23, 2016. No objections have been received.

### **Amendment Procedure**

The Commission has a duty to review all resale and interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.<sup>1</sup> In order for the Commission's role of review and approval to be effective, the Commission must also review and approve or recognize amendments to these agreements. The Commission has a further duty to make a copy of every resale and interconnection agreement available for public inspection.<sup>2</sup>

The parties to each resale or interconnection agreement must maintain a complete and current copy of the agreement, together with all amendments, in the Commission's offices. Any proposed amendment must be submitted pursuant to Commission rules 4 CSR 240-28.020 and 4 CSR 240-28.080.

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<sup>1</sup> 47 U.S.C. § 252.

<sup>2</sup> 47 U.S.C. § 252(h).

### **Conclusions of Law**

The adoption of the terms and conditions of a previously approved interconnection agreement is authorized by Section 252(i) of the federal Telecommunications Act of 1996.<sup>3</sup>

Section 252(i) states:

(i) Availability to Other Telecommunications Carriers. –

A local exchange carrier shall make available any interconnection, services, or network element provided under an agreement approved under this section to which it is a party to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement.

Commission rule 4 CSR 240-28.080 allows the Commission to approve the adoption or amendment of previously approved interconnection agreements.

**THE COMMISSION ORDERS THAT:**

1. Bandwidth.com CLEC's adoption of the terms and conditions contained in the amendments of the interconnection agreement between AT&T Missouri and Peerless Network of Missouri, LLC and GC Pivotal, LLC, pursuant to Section 252(i) of the Telecommunications Act of 1996, is approved.

2. Any changes or amendments to this agreement shall be submitted in compliance with 4 CSR 240-28.020 and 4 CSR 240-28.080.

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<sup>3</sup> See 47 U.S.C. § 251, *et seq.*

3. This order shall become effective on March 19, 2018.
4. This file may be closed on March 20, 2018.

**BY THE COMMISSION**



*Morris L. Woodruff*

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on the 9th day of March, 2018.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 9<sup>th</sup> day of March 2018.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**March 9, 2018**

**File/Case No. IK-2018-0225**

**Missouri Public Service  
Commission**

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Commission**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.