

**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 Interconnection Agreement under the
Telecommunications Act of 1996 with 365 Wireless, LLC)
) **File No. IK-2013-0394**

REVISED STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and submits its Recommendation as follows:

1. On February 11, 2013, 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 Interconnection Agreement executed between it and 365 Wireless, LLC.

2. 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.

3. Upon review of the Applications to Intervene, the Staff cannot say that the Interconnection Agreement does not discriminate against telecommunications carriers not parties to it, nor is its implementation inconsistent with the public interest, convenience or necessity. The interconnection agreement requires 365 Wireless, LLC to have termination agreements with carriers to which traffic may be delivered and it has yet to do so. Because 365 Wireless, LLC cannot control where the traffic given to it for transport may terminate, the Staff supports the Commission either requiring termination agreements with all other carriers prior to approval of this interconnection agreement

(which may require denying approval due to time constraints in federal law if those cannot be reached within 90 days of February 11, 2013), or the implementation of blocking to the intervening carriers and approval of the interconnection agreement once that blocking is in place. The blocking could then be removed company by company as termination agreements are reached.

WHEREFORE, Staff recommends the Commission approve the Application only under one of the two scenarios described above and direct the parties to submit to the Commission any modifications or amendments to the Interconnection Agreement.

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 7th day of March, 2013.

