

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
December 20, 2000**

**CASE NO: TO-2000-261**

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Jefferson City, MO 65102

**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**



On December 14, 2000, Staff filed its recommendation stating that it recommended approval of ASI's proposed Amendments Nos. 4 and 5. In addition, Staff attached its memorandum to the recommendation.

The memorandum summarized ASI's proposed amendments as follows:

- [1] Addition of Appendix UNE Remand.
- [2] Replacement of Appendix Pricing / Schedule of Pricing.
- [3] Replacement of Appendix FCC Merger Conditions, including certain modifications to General Terms and Conditions.

The memorandum also summarized Staff's recommendations as follows:

The...Staff believes that the proposed amendments meet the limited requirements of the Telecommunications Act of 1996. The proposed modifications to the interconnection agreement do not appear to discriminate against telecommunications carriers not party to the agreement and do not appear to be against the public interest, convenience and necessity. Therefore, the Staff has no objections to the amendments....

### **Findings of Fact**

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact.

The Commission has considered the proposed Amendments Nos. 4 and 5 to the Agreement and the supporting documentation, including Staff's recommendation. Based upon that review, the Commission has concluded that the proposed amendments meet the requirements of the federal Telecommunications Act of 1996 (the Act) in that they do not unduly discriminate against a nonparty carrier, and that implementation of the proposed amendments is not inconsistent with the public interest, convenience and necessity.

### **Conclusions of Law**

The Missouri Public Service Commission has arrived at the following conclusions of law.

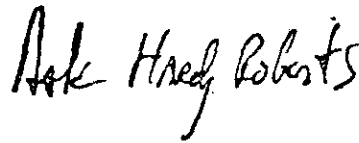
The Commission, under the provisions of Section 47 U.S.C. 252(e)(1) of the Act, is required to review the modifications of negotiated interconnection agreements. It may only reject a modification of a negotiated agreement upon a finding that its implementation would be discriminatory to a nonparty or inconsistent with the public interest, convenience and necessity under Section 252(e)(2)(A) of the Act.

Based upon its review of the modification of the negotiated interconnection agreement between ASI and SWBT and its findings of fact, the Commission concludes that the proposed amendments of the negotiated interconnection agreement are neither discriminatory nor inconsistent with the public interest and should be approved.

**IT IS THEREFORE ORDERED:**

1. That Amendments Nos. 4 and 5 to the Interconnection Agreement between Southwestern Bell Telephone Company and SBC Advanced Solutions, Inc. filed on November 14, 2000, and assigned number IA-2001-0021, are approved.
2. That this order shall become effective on December 25, 2000.
3. That this case may be closed on December 26, 2000.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Bill Hopkins, Senior Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 20th day of December, 2000.

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70-2000-261  
CASE NO.

*[Signature]*  
Lundpe, Chair

*[Signature]*  
Drainer, Vice Chair

*[Signature]*  
Murray, Commissioner

*[Signature]*  
Schemenauer, Commissioner

*[Signature]*  
Simmons, Commissioner

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 20<sup>th</sup> day of December 2000.

*[Signature: Dale Hardy Roberts]*

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

