

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

In the Matter of the Interconnection Agreement )	
between Southwestern Bell Telephone, L.P., d/b/a )	
SBC Missouri, and Xspedius Management Co. of )	
Kansas City, L.L.C. and Xspedius Management )	Case No. TK-2006-0043
Co. Switched Services, L.L.C.; Arbitrated as a )	
Successor Interconnection Agreement to the )	
Missouri 271 Agreement ("M2A"). )	

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission and for its recommendation states:

1. Southwestern Bell Telephone, L.P. d/b/a SBC Missouri and Xspedius Management Co. of Kansas City, L.L.C. and Xspedius Management Co. Switched Services, L.L.C., have filed an errata and revised pages to correct a few rates that they have discovered were incorrectly shown in the interconnection agreement which they filed with the Commission pursuant to the Commission's Arbitration Order in Case No. TO-2005-0336. The Commission has previously approved the interconnection agreement.

2. In the attached Memorandum which is labeled Appendix A, the Staff states that the corrected pages and revised rates conform with the Arbitration Order and with the federal Telecommunications Act of 1996. Under § 47 U.S.C. 252 (e) of the Act, the Commission may reject an arbitrated agreement if it finds that the agreement does not meet the requirements of § 251 of the Act, including the F.C.C.'s implementing regulations, or the pricing standards in § 252 (d) of the Act.

**WHEREFORE**, the Staff recommends that the Commission approve the corrected pages and direct the parties to submit any modifications or amendments to the Commission for approval.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ Marc D. Poston**

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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 6<sup>th</sup> day of October 2005.

**/s/ Marc D. Poston**

## MEMORANDUM

**To:** Missouri Public Service Commission Official Case File  
Case No. **TK-2006-0043**  
Party: Southwestern Bell Telephone, L.P. d/b/a SBC Missouri  
Type of Certification:  
☐ None  
☒ Basic Local  
☐ Local (restricted to private line)  
☐ Local (no restrictions)  
☐ Interexchange

Party: Xspedius Management Co. of Kansas City, L.L.C. and Xspedius Management Co. Switched Services, L.L.C.  
☐ None  
☒ Basic Local  
☐ Local (restricted to private line)  
☐ Local (no restrictions)  
☐ Interexchange

**From:** Mike Scheperle, Telecommunications Department

Natelle Dietrich 10/5/05	Marc Poston 10/5/05
Utility Operations Division/Date	General Counsel Office/Date

**Subject:** Staff Recommendation for Approval of Interconnection Agreement Joint Errata

**Date:** October 5, 2005

**Date Filed:** 9/29/05

The Telecommunications Department Staff (Staff) recommends approval of interconnection agreement joint errata.

The parties have discovered that when the interconnection agreement was filed, a few of the rates in the interconnection agreement were incorrectly shown. Therefore, the parties submit the joint errata to correct the conformed interconnection agreement and move the Commission to modify its August 15, 2005, Order Approving Arbitrated Interconnection Agreement to incorporate its approval of the August 9, 2005, filing as corrected by this errata.

Staff has reviewed the corrected pages and the revised rates on those pages and believes they conform to the Commission's Arbitration Order in TO-2005-0336 and the Act. Under the provisions of the 1996 Act, the Commission may only reject "an agreement (or any portion thereof) adopted by arbitration under subsection (b) if it finds that the agreement does not meet the requirements of section 251, including the regulations prescribed by the Commission, or the standards set forth in subsection (d) of this

Appendix A

section.” 47 U.S.C. 252(e)(2). Staff further recommends the Commission direct the Parties to submit any modifications or amendments to the Commission for approval.

- ☐ Staff does not have a serially numbered copy of the Agreement and recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement.
- ☒ Staff has a serially numbered copy of the Agreement.

☒ The Companies are not delinquent in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

(☐ No annual report ☐ Unpaid PSC assessment. Amount owed:     )

Is there an attachment to this recommendation indicating any recommendations or special considerations: ☐ Yes     ☒ No