

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

In the Matter of the Application of Level 3 )  
Communications, LLC, and Southwestern Bell )  
Telephone Company, L.P. d/b/a SBC Missouri )  
for Approval of their Negotiated Interconnection )  
Agreement and Superseding Amendment under )  
Section 252(e)(1) of the Telecommunications Act )

**Case No. TK-2005-0285**

**ORDER DIRECTING RESPONSE TO STAFF'S RECOMMENDATION**

On February 23, 2005, Level 3 Communications, LLC and Southwestern Bell Telephone, L.P. d/b/a SBC Missouri submitted a negotiated interconnection agreement for the Commission's approval. The Commission's Staff filed a recommendation regarding that interconnection agreement on April 11.

Staff is concerned that Level 3 and SBC's interconnection agreement does not include terms governing transiting traffic. Staff believes that the failure to submit the transiting traffic agreement for the Commission's approval as part of the interconnection agreement might discriminate against carriers who are not part of the agreement and might be against the public interest. Staff recommends that Level 3 and SBC be given an opportunity to file the transit traffic provisions as an amendment to the interconnection agreement, or to explain why they should not be required to file such provisions. If the transit traffic provisions are not filed as an amendment to the interconnection agreement, Staff recommends that the Commission reject the agreement.

Under applicable law, the Commission must approve or reject the submitted interconnection agreement by May 24. As a result, prompt action is required. Therefore, Level 3 and SBC will be directed to respond to Staff's recommendation no later than April 18.

**IT IS THEREFORE ORDERED:**

1. That Level 3 Communications, LLC and Southwestern Bell Telephone Company, LP d/b/a SBC Missouri shall file their response to Staff's Recommendation no later than April 18, 2005.
2. That this order shall become effective on April 12, 2005.

**BY THE COMMISSION**

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

( S E A L )

Morris L. Woodruff, Senior Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 12th day of April, 2005.