

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

In Re: The Master Interconnection Collocation and)
Resale Agreement by and between Embarq)
Missouri, Inc. and Level 3 Communications, LLC)
Pursuant to Sections 251 and 252 of the)
Telecommunications Act of 1996)

Case No. TK-2007-0157

STAFF RECOMMENDATION

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

1. On October 16, 2006, Embarq Missouri, Inc., filed an application with the Commission for approval of an interconnection agreement with Level 3 Communications, LLC under the provisions of the federal Telecommunications Act of 1996.

2. Section 252(e) of the federal Telecommunications Act of 1996 provides that a State commission may only reject a negotiated agreement if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement or if the implementation of the agreement is not consistent with the public interest, convenience, and necessity.
47 U.S.C. § 252(e)

3. In the attached Memorandum, which is labeled Appendix A, the Staff states that the interconnection agreement does not discriminate against telecommunications carriers not a party to the agreement and is not against the public interest, convenience or necessity.

WHEREFORE, the Staff recommends that the Missouri Public Service Commission approve the interconnection agreement pursuant to the Act, and direct the parties to submit any modifications or amendments.

Respectfully submitted,

/s/ William K. Haas

William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

Attorney for the Staff of the
Missouri Public Service Commission
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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 9th day of November 2006.

/s/ William K. Haas

To: Missouri Public Service Commission Official Case File

Case No.: **TK-2007-0157**

Party: **Embarq Missouri, Inc. d/b/a Embarq** (Embarq)

Type of Carrier: ☒ Incumbent Local Exchange Carrier (ILEC)
☐ Competitive Local Exchange Carrier (CLEC)
☐ Wireless Carrier (CMRS)

Party: **Level 3 Communications, LLC** (Level 3)

Type of Carrier: ☐ Incumbent Local Exchange Carrier (ILEC)
☒ Competitive Local Exchange Carrier (CLEC)
☐ Wireless Carrier (CMRS)

From: Arthur P. Kuss
Telecommunications Department

William Voight 11/09/06
Utility Operations Division/Date

/s/ William K. Haas 11/9/06
General Counsel's Office/Date

Subject: Staff Recommendation for Approval of an Interconnection Agreement

Date: November 09, 2006

Date Filed: October 16, 2006

Staff Deadline: November 20, 2006

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the submitted:

- ☒ Interconnection Agreement
- ☐ Amendment Not Previously Approved

The Parties submitted the proposed Agreement or Amendment to the Missouri Public Service Commission (Commission) pursuant to the terms of the Telecommunications Act of 1996 (Act). Staff has reviewed the proposed Agreement and believes it meets the limited requirements of the Act. Specifically, the Agreement:

- 1) Does not discriminate against telecommunications carriers not party to the Agreement and
- 2) Is not against the public interest, convenience or necessity.

Staff recommends the Commission direct the Parties to submit any modifications or amendments to the Commission.

- ☐ The Applicants have not submitted a serially numbered copy of the Agreement or Amendment. Staff recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement or Amendment.
- ☒ Staff has a serially numbered copy of the Agreement or Amendment.

Additional Interconnection Agreement or Amendment Review Items

- ☒ No applications to intervene have been filed. Intervention Deadline: November 08, 2006
- ☒ The Agreement or Amendment has been signed by both Parties.

Additional Recommendations or Special Considerations (if any):

Annual Report & Assessment Information

[Annual Report](#)

[Assessment Information](#)

- ☒ The Parties are not delinquent in filing Annual Reports or paying PSC Assessments.
- ☐ A Party is delinquent. Staff recommends the Commission grant the requested relief/action on the condition that 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:


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LLC Pursuant to Sections 251 and 252 of the)
Telecommunications Act of 1996.)

AFFIDAVIT OF Arthur P. Kuss

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Arthur P. Kuss, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in the preparation of the accompanying Memorandum, and that the facts therein are true and correct to the best of his knowledge and belief.



Arthur P. Kuss

Subscribed and affirmed before me this 9th day of November, 2006.
I am commissioned as a Notary Public within the County of Callaway, State of Missouri
and my commission expires on September 21, 2010



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086



NOTARY PUBLIC