

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

In the Matter of the Application for Approval of an           )  
Amendment to the Interconnection Agreement               )  
Between DIECA Communications, Inc., d/b/a Covad        )  
Communications Company and Southwestern Bell         )  
Telephone, L.P., d/b/a AT&T Missouri                        )

**Case No. TK-2007-0255**

**ORDER DIRECTING NOTICE AND MAKING**  
**SOUTHWESTERN BELL TELEPHONE. L.P.,**  
**D/B/A AT&T MISSOURI, A PARTY**

Issue Date: January 5, 2007

Effective Date: January 5, 2007

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, as a party to this proceeding.

On January 5, 2007, DIECA Communications, Inc., d/b/a Covad Communications Company, filed an application with the Commission for approval of an amendment to an interconnection agreement with AT&T Missouri under the provisions of the federal Telecommunications Act of 1996. Covad states that the Commission approved its interconnection agreement with AT&T Missouri in Case No. TO-2001-4. Covad states that the purpose of the proposed amendment concerns Coordinated Hot Cuts and related Time and Materials Pricing .

Although AT&T Missouri is a party to the agreement, it did not join in the application. Because AT&T Missouri is a necessary party to a full and fair adjudication of this matter, the Commission will add it as a party to this case.

The Act provides that an interconnection or resale agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the agreement, or that implementation of the agreement is not consistent with the public interest, convenience, and necessity.<sup>1</sup> Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously. The Commission finds that proper persons shall be allowed 20 days from the issuance of this order to file a motion for hearing. The Commission also finds that notice of this application shall be sent to all interexchange and local exchange telecommunications companies.

**IT IS ORDERED THAT:**

1. The Commission's Data Center shall send notice to all interexchange and local exchange telecommunications companies.
2. Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, is made a party to this case.
3. Any party wishing to request a hearing shall do so by filing a pleading no later than January 25, 2007, with:

Colleen M. Dale, Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

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<sup>1</sup> 47 U.S.C. § 252(e).

and send copies to:

Carl J. Lumley, Esq.  
Curtis, Heinz, Garrett & O'Keefe, P.C.  
130 South Bemiston, Suite 200  
St. Louis, Missouri 63105  
ATTORNEY FOR DIECA COMMUNICATIONS, INC.,  
D/B/A COVAD COMMUNICATIONS COMPANY

Leo Bub, Esq.  
One SBC Center, Room 3518  
St. Louis, Missouri 63101  
ATTORNEY FOR SOUTHWESTERN BELL TELEPHONE, L.P.,  
D/B/A AT&T MISSOURI

and:

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102

4. The Staff of the Commission shall file a memorandum advising either approval or rejection of this amendment and giving the reasons therefor no later than February 5, 2007.

5. This order shall become effective on January 5, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Ronald D. Pridgin, Senior Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 5th day of January, 2007.