

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Request for Approval of Amendment No. 1 to the)
Interconnection Agreement Between Southwestern)
Bell Telephone Company and XO Communications)
Services, Inc.)

Case No. TK-2007-0163

ORDER REJECTING FILING AND NOTICE OF DEFICIENCY

Issue Date: October 20, 2006

Effective Date: October 20, 2006

On October 20, 2006, XO Communications Services, Inc. filed a letter notifying the Missouri Public Service Commission of an amendment to an interconnection agreement between XO and Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri. It appears that XO's Director of Regulatory Contracts filed this letter in an attempt to comply with Commission rule 4 CSR 240-3.513(6)(A). However, on its face, the letter does not appear to propose an "adoption" of an already-approved amendment. Rather, it appears that XO and AT&T have agreed on an amendment that has not been previously approved by this Commission.

This being so, application for the proposed amendment should have been filed under 4 CSR 240-3.513(6)(C). Application made under this subsection of the rule must be made in compliance with Commission rules 4 CSR 240-2.040, .060 and .080. These regulations impose numerous requirements on any application filed with the Commission. XO's letter does not comply with many of these requirements. In particular, 4 CSR 240-2.080(1) requires that every pleading filed with the Commission be signed by an attorney authorized to practice law in Missouri. XO's letter is not signed by an attorney and

must be rejected. If XO chooses to appropriately submit an application, it may do so in this case.

IT IS ORDERED THAT:

1. XO Communications Services, Inc.'s request for approval of an amendment to an interconnection agreement between XO and Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri is rejected for failure to comply with applicable filing requirements.
2. The Commission's Data Center shall mail a copy of this order to AT&T Missouri's legal counsel.
3. This order shall become effective on October 20, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 20th day of October, 2006.