

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

In the Matter of the Application of AT&T )  
Communications of the Southwest, Inc. for )  
Approval of an Interconnection Agreement )  
Amendment Under the Telecommunications Act of )  
1996 )

Case No. TK-2008-0250

**STAFF RECOMMENDATION**

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission ("Commission"), and for its Recommendation respectfully states as follows:

1. On January 30, 2008, AT&T Communications of the Southwest, Inc. ("AT&T Communications") filed with the Commission, an Application For Approval Of An Interconnection Agreement Amendment by and between AT&T Communications of the Southwest, Inc. and Southwestern Bell Telephone Company, d/b/a AT&T Missouri ("AT&T Missouri"). The Commission previously approved the underlying interconnection agreement in Case No. CK-2008-0108.

2. In an order issued January 31, 2008, the Commission, among other things, made Southwestern Bell Telephone Company, d/b/a AT&T Missouri a party to this case and directed the Staff to file a memorandum concerning this matter by March 3, 2008.

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

4. In the attached Memorandum, which is labeled Appendix A, the Staff states that the amendment 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 issue an order approving the amendment pursuant to the Act, and directing the parties to submit any future modifications or amendments.

Respectfully submitted,

/s/ Shelley Syler Brueggemann  
Shelley Syler Brueggemann  
Senior Counsel  
Missouri Bar No. 52173

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 526-7393 (Telephone)  
(573) 751-9285 (Fax)  
[shelley.brueggemann@psc.mo.gov](mailto:shelley.brueggemann@psc.mo.gov) (e-mail)

### **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 29<sup>th</sup> day of February 2008.

/s/ Shelley Syler Brueggemann

**To:** Missouri Public Service Commission Official Case File

Case No.: **TK-2008-0250**

**Party:** **Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri (AT&T)**

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

**Party:** **AT&T Communications of the Southwest, Inc. (AT&T CSW)**

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

**From:** Arthur P. Kuss  
Telecommunications Department

Wm L Voight 02/20/08  
Utility Operations Division/Date

Shelley Syler Brueggemann 02/28/08  
General Counsel's Office/Date

**Subject:** Staff Recommendation for Approval of an Amendment to an Interconnection Agreement

**Date:** February 20, 2008

**Date Filed:** January 30, 2008

**Staff Deadline:** March 03, 2008

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: February 20, 2008
- ☒ The Agreement or Amendment has been signed by both Parties.

**Additional Recommendations or Special Considerations (if any):**

**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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Case No. **TK-2008-0250**

**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 20<sup>th</sup> day of February, 2008.

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 #08042086

  
NOTARY PUBLIC