

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Southwestern)	
Bell Telephone Company, d/b/a AT&T Missouri,)	<u>Case No. TK-2008-0338</u>
For Approval of an Interconnection Agreement)	
Under the Telecommunications Act of 1996)	

ORDER DIRECTING NOTICE AND MAKING
BANDWIDTH.COM CLEC, LLC A PARTY

Issue Date: April 16, 2008

Effective Date: April 16, 2008

This order provides notice of this application to interested parties and joins the other party to the interconnection agreement, Bandwidth.com CLEC, LLC, d/b/a Bandwidth.com, as a party to this proceeding.

On April 15, 2008, Southwestern Bell Telephone Company, d/b/a AT&T Missouri filed an application with the Commission for approval of an interconnection agreement with Bandwidth.com under the provisions of the federal Telecommunications Act of 1996. AT&T Missouri states that there are no unresolved issues and that the agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest. AT&T Missouri requests expeditious approval of the agreement.

Although Bandwidth.com is a party to the agreement, it did not join in the application. Because Bandwidth.com 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.¹ 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. Bandwidth.com CLEC, LLC, d/b/a Bandwidth.com 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 May 6, 2008, with:

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

and send copies to:

Robert J. Gryzmala
Southwestern Bell Telephone Company
One AT&T Missouri, Room 3516
St. Louis, MO 63101

¹ 47 U.S.C. § 252(e).

David Morken
Attn: Legal Representative
4001 Weston Parkway, Ste. 100
Cary, NC 27513

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 agreement and giving the reasons therefor no later than May 16, 2008.

5. This order shall become effective on April 16, 2008.

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)

Colleen M. Dale, Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 16th day of April, 2008.