

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

In the Matter of the Interconnection Agreement)
between Southwestern Bell Telephone, L.P.,)
d/b/a SBC Missouri and Charter Fiberlink-)
Missouri, L.L.C. Arbitrated as a Successor)
Interconnection Agreement to the Missouri 271)
Agreement (“M2A”).)

Case No. TK-2006-0047

STAFF ERRATA RECOMMENDATION

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

1. In the Commission's Order of July 14, 2005 in Case No. TO-2005-0336, the Commission directed the parties to the case (a compulsory arbitration of successor interconnection agreements to the Missouri 271 Agreement) to file their compliant interconnection agreements with the Commission by August 3, 2005. On that date, Southwestern Bell Telephone, L.P., d/b/a SBC Missouri and Charter Fiberlink-Missouri, L.L.C. did so in this case. The Commission issued its *Order Approving Arbitrated Interconnection Agreement* on August 8, 2005. Subsequently, the parties to the Agreement submitted a *Motion to Modify Order Approving Interconnection Agreement* to account for an inadvertently omitted, eleven-page document captioned Appendix Pricing – Schedule of Prices. This recommendation addresses that document.

2. Under the provisions of the Telecommunications Act of 1996, the Commission may only reject “an agreement (or any portion thereof) adopted by arbitration under subsection (b) if it finds that the agreement does not meet the requirements of section 251, including the regulations prescribed by the Commission, or the standards set forth in subsection (d) of this

section.” 47 U.S.C. 252(e)(2). The agreement was adopted by arbitration under 47 U.S.C 252(b) and thus this standard applies to the Commission’s review.

3. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission approve the late-filed document as part of the Agreement.

4. Staff has reviewed the proposed late-filed document and believes it conforms to the Arbitrator’s Report and Commission’s Arbitration Order in TO-2005-0336, and further conforms to the standards set forth in 47 U.S.C. 252(e)(2).

WHEREFORE, because the terms of this agreement conform to the Arbitrator’s Report and Commission’s Arbitration Order in TO-2005-0336, and further conforms to 47 U.S.C. 252(e)(2), the Staff recommends the Commission grant the *Motion to Modify Order Approving Interconnection Agreement* to incorporate its approval of the inadvertently omitted, eleven-page document captioned Appendix Pricing – Schedule of Prices.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ David A. Meyer

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mailed to all counsel of record this 9th day of August 2005.

/s/ David A. Meyer

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. TK-2006-0047
Party: SBC Missouri, Inc.
Type of Certification:
 None
 Basic Local
 Local (restricted to private line)
 Local (no restrictions)
 Interexchange

Party: Charter FiberLink Missouri, LLC
 None
 Basic Local
 Local (restricted to private line)
 Local (no restrictions)
 Interexchange

From: Adam McKinnie, Telecommunications Department

Natelle Dietrich 8/9/05	David Meyer 8/9/05
Utility Operations Division/Date	General Counsel Office/Date

Subject: Staff Recommendation for Approval of Interconnection Agreement

Date: August 9, 2005

Date Filed: August 3, 2005 **Commission Deadline:** August 10, 2005

The Telecommunications Department Staff (Staff) recommends the Parties be granted approval of the errata to the following (may check more than one):

- Resale Agreement
- Facilities-based Interconnection Agreement
- Wireless Interconnection Agreement

The parties submitted the proposed errata to the Missouri Public Service Commission (Commission) pursuant to the terms of the Telecommunications Act of 1996 (Act). Staff has reviewed the errata and believes it conforms to the Arbitrator’s Report and Commission’s Arbitration Order in TO-2005-0336 and the Act. Under the provisions of the 1996 Act, the Commission may only reject “an agreement (or any portion thereof) adopted by arbitration under subsection (b) if it finds that the agreement does not meet the requirements of section 251, including the regulations prescribed by the Commission, or the standards set forth in subsection (d) of this section.” 47 U.S.C. 252(e)(2). Staff recommends approval of the errata. Staff further recommends the Commission direct the Parties to submit any modifications or amendments to the Commission for approval.

- Staff does not have a serially numbered copy of the Agreement and recommends the Commission direct the Parties to submit a serially numbered copy of the Agreement.
- Staff has a serially numbered copy of the Agreement.

Interconnection Agreement Review Items

- No applications to intervene filed – n/a
- Errata signed by both Parties.

The Companies are not delinquent in filing an annual report and paying the PSC assessment.

The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition 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:)

Is there an attachment to this recommendation indicating any recommendations or special considerations: Yes No