

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

In the Matter of the Application for)
Approval of Amendments to an)
Interconnection Agreement By and Between)
Southwestern Bell Telephone, L.P. d/b/a)
AT&T Missouri, and McLeodUSA)
Telecommunications Services, Inc.)

Case No. TK-2006-0385

STAFF RECOMMENDATION

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

1. On April 6, 2006, Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri (AT&T) filed a request for the Commission to approve amendments to the Interconnection Agreement between AT&T and McLeodUSA Telecommunications Services, Inc. (McLeod) (ICA) under the provisions of the federal Telecommunications Act of 1996. The underlying ICA has previously been filed with and approved by this Commission in Case Tracking No. VT-2006-0022. McLeod USA “opted into”, pursuant to 47 U.S.C. §252(i), an agreement between AT&T Missouri and MCImetro Access Transmission Services, LLC, that was also filed with and approved by the Commission in Case No. TK-2006-0050.

2. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission grant approval of the “Further Amendment Superseding Certain Intervening Law, Compensation, Interconnection and Trunking Provisions” between AT&T and McLeodUSA (Amendments) filed by AT&T under the provisions of the federal Telecommunications Act of 1996.

3. The terms of the Amendments to the ICA do not discriminate against telecommunications carriers not a party to the ICA and are not against the public interest, convenience or necessity. Pursuant to 47 U.S.C. §252(e), the Commission is to approve a negotiated interconnection agreement unless the terms of the agreement discriminate against a telecommunications carrier not a party to the agreement, or implementation of the agreement or any portion thereof is inconsistent with the public interest, convenience, or necessity.

WHEREFORE, because the terms of amendments to the agreement satisfy the standard set forth in 47 U.S.C. §252(e), in that they do not discriminate against telecommunications carriers not a party to the Interconnection Agreement and are not against the public interest, convenience and necessity, Staff recommends that the Commission approve the amendments and direct the parties to submit any future modifications or amendments to the Agreement to the Commission for approval.

Respectfully submitted,

/s/ Shelley E. Syler

Shelley E. Syler

Senior Counsel

Missouri Bar No. 52173

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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 5th day of May 2006.

/s/ Shelley E. Syler

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. TK-2006-0385
Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri
and McLeodUSA Telecommunications Services, Inc.

From: Sherri Kohly
Telecommunications Department

William L. Voight 05/02/06 William K. Haas 05/02/06
Utility Operations Division/Date General Counsel's Office/Date

Subject: Recommendation to Approve Amendments to Interconnection Agreement

Date: May 2, 2006

On April 6, 2006, Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri (AT&T), submitted an application for approval of amendments to the interconnection agreement (ICA) between AT&T and McLeodUSA Telecommunications Services, Inc. (McLeod). The Commission's April 10, 2006 Order Directing Notice established an intervention deadline of May 1, 2006, and ordered Staff to file a recommendation no later than May 10, 2006. No parties filed applications to intervene. According to AT&T's application, the amendments have not previously been approved by the Commission. The proposed amendments revoke the parties' current "Amendment Superseding Certain Compensation, Interconnection and Trunking Provisions" and substitute a new "Further Amendment Superseding Certain *Intervening Law*, Compensation, Interconnection and Trunking Provisions" in its place. The proposed amendments were signed by both parties in November and December of 2005.

The Telecommunications Department Staff (Staff) believes the proposed amendments meet the limited requirements of the Telecommunications Act of 1996. The proposed modifications to the interconnection agreement do not discriminate against telecommunications carriers not party to the agreement and are not against the public interest, convenience and necessity. Therefore, the Staff has no objection to the amendments and recommends the Commission approve the interconnection agreement amendments at its earliest convenience. The Staff is not aware of any other filing which affects or which would be affected by this filing.

☒ 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:)

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AFFIDAVIT OF SHERRI L. KOHLY

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Sherri L. Kohly, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in the preparation of the accompanying Memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.



[Name]

Subscribed and affirmed before me this 2nd day of May 2006

I am commissioned as a notary public within the County of Cole, State of Missouri
and my commission expires on June 7, 2008



NOTARY PUBLIC

