

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

In the Matter of the Application of YMax)
Communications Corp. for Approval of an)
Amendment to an Interconnection Agreement)
with Southwestern Bell Telephone, L.P. d/b/a)
AT&T Missouri

Case No. CK-2008-0202

STAFF RECOMMENDATION

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

1. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission grant approval of the *Application for Approval of an Amendment to an Interconnection Agreement* (Agreement) filed by YMax Communications Corp. under the provisions of the federal Telecommunications Act of 1996.

2. 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.

3. The terms of the Agreement do not discriminate against telecommunications carriers not a party to the Agreement 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 the Agreement satisfy the standard set forth in 47 U.S.C. §252(e), Staff recommends the Commission approve the Agreement and that the

Commission direct the Parties to submit a serially numbered copy of the Agreement or Amendment.

Respectfully submitted,

/s/ Sarah Kliethermes
Sarah L. Kliethermes
Legal Counsel
Missouri Bar No. 60024

Attorney for the Staff of the
Missouri Public Service Commission
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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 22nd day of January, 2008.

/s/ Sarah L. Kliethermes

To: Missouri Public Service Commission Official Case File

Case No.: **CK-2008-0202**

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

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

Party: **YMax Communications Corporation**

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

From: Walt Cecil
Telecommunications Department

William Voight 01/18/2008
Utility Operations Division/Date

Sarah Kliethermes 01/18/2008
General Counsel's Office/Date

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

Date: January 18, 2008

Date Filed: December 19, 2007

Staff Deadline: January 28, 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: January 17, 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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AFFIDAVIT OF Walt Cecil

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Walt Cecil, 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 preparing the accompanying Memorandum, and that the facts therein are true and correct to the best of his knowledge and belief.

Walt Cecil
Walt Cecil

Subscribed and affirmed before me this 18th day of January 2008
I am commissioned as a notary public within the County of Callaway,
State of Missouri and my commission expires on 9-21-10



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086

Susan L. Sundermeyer
NOTARY PUBLIC