

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Carrier Partner for)
Interconnected VoIP Provider Amendment)
to the Interconnection Agreement between)
Teliax, Inc. and Embarq Missouri, Inc.)
d/b/a CenturyLink Pursuant to Sections)
251 and 252 of the Telecommunications)
Act of 1996)

File No. TK-2019-0313

ORDER APPROVING AMENDMENTS TO INTERCONNECTION AGREEMENT

Issue Date: May 13, 2019

Effective Date: May 23, 2019

This order approves the Interconnection Agreement executed by the parties and filed by Embarq Missouri, Inc. d/b/a CenturyLink ("CenturyLink").

On April 12, 2019, CenturyLink filed an application with the Commission for approval of an amendment to the interconnection agreement with Teliax, Inc. ("Teliax").¹ The Agreement was filed pursuant to Section 252(e)(1) of the Telecommunications Act of 1996.² The amendments provide for the exchange of traffic under specified services, and for Teliax to act as a Carrier Partner for an Interconnected VoIP Provider. Both CenturyLink and Teliax hold certificates of service authority or are registered to provide basic local exchange telecommunications services in Missouri.

Although Teliax is a party to the amendments to the agreement, it did not join in the application. On April 15, the Commission issued an order making Teliax a party in this

¹ That interconnection agreement was approved by the Commission in File Number TK-2019-0312.

case and directing any party wishing to request a hearing to do so no later than April 30. No requests for hearing were filed.

The Staff of the Commission filed a recommendation on May 2, recommending that the amendments to the agreement be approved.

Discussion

Under Section 252(e) of the Act, any interconnection agreement adopted by negotiation must be submitted to the Commission for approval. The Commission may reject an agreement if it finds that the agreement is discriminatory or that it is not consistent with the public interest, convenience and necessity.

Staff recommends that the amendments to the agreement be approved and notes that the agreement as amended meets the limited requirements of the Act in that it is not discriminatory toward nonparties and is not against the public interest. Staff recommends that the Commission direct the parties to submit any further amendments to the Commission for approval.

Findings of Fact

The Commission has considered the application, the supporting documentation, and Staff's verified recommendation. Based upon that review, the Commission finds that the agreement as amended meets the requirements of the Act in that it does not discriminate against a nonparty carrier and implementation of the agreement as amended is not inconsistent with the public interest, convenience and necessity. The Commission finds that approval of the agreement as amended shall be conditioned upon the parties

² See 47 U.S.C. § 251, *et seq.*

submitting any further amendments to the Commission for approval pursuant to the procedure set out below.

Amendment Procedure

The Commission has a duty to review all interconnection agreements, whether arrived at through negotiation or arbitration, as mandated by the Act.³ In order for the Commission's role of review and approval to be effective, the Commission must also review and approve or recognize amendments to these agreements. The Commission has a further duty to make a copy of every interconnection agreement available for public inspection.⁴

The parties to each interconnection agreement must maintain a complete and current copy of the agreement, together with all amendments, in the Commission's offices. Any proposed amendment must be submitted pursuant to Commission rules 4 CSR 240-28.020(5) and 4 CSR 240-28.080.

Conclusions of Law

The Commission, under the provisions of Section 252(e)(1) of the federal Telecommunications Act of 1996,⁵ is required to review negotiated interconnection agreements. It may only reject a negotiated agreement upon a finding that its implementation would be discriminatory to a nonparty or inconsistent with the public interest, convenience and necessity.⁶ Based upon its review of the agreement as amended between CenturyLink and Teliix and its findings of fact, the Commission concludes that the agreement as

³ 47 U.S.C. § 252.

⁴ 47 U.S.C. § 252(h).

⁵ 47 U.S.C. § 252(e)(1).

⁶ 47 U.S.C. § 252(e)(2)(A).

amended is neither discriminatory nor inconsistent with the public interest and shall be approved.

As the application is unopposed, and so that these amendments to the interconnection agreement may go into effect expeditiously the Commission will make this order effective in ten days.

THE COMMISSION ORDERS THAT:

1. The amendments to the interconnection agreement between Embark Missouri, Inc. d/b/a CenturyLink and Teliix, Inc., filed on April 12, 2019, is approved.
2. Any changes or amendments to this agreement shall be submitted in compliance with 4 CSR 240-28.020(5) and 4 CSR 240-28.080.
3. This order shall become effective on May 23, 2019.
4. This file may be closed on May 24, 2019.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Charles Hatcher, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 13th day of May, 2019.

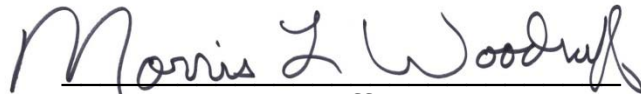
STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 13th day of May 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

May 13, 2019

File/Case No. TK-2019-0313

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

CenturyLink (Embarq Missouri)

Becky O Kilpatrick
100 CenturyLink Drive
Monroe, LA 71201
becky.kilpatrick@centurylink.com

**Missouri Public Service
Commission**

Whitney Payne
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
whitney.payne@psc.mo.gov

Teliax, Inc.

Legal Department
2150 W 29th Ave., #200
Denver, CO 80211
daldworth@telix.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.