

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. C-4226
Application of United)
Telephone of the West d/b/a)
Embarq, Overland Park, Kansas,)
seeking approval of an) APPROVED
Interconnection, Collocation)
and Resale Agreement with)
Kentucky Data Link, Inc.,)
Evansville, Indiana.) Entered: December 22, 2009

BY THE COMMISSION:

By application filed November 12, 2009, United Telephone of the West d/b/a Embarq, (Embarq) Overland Park, Kansas, seeks approval of an Interconnection, Collocation and Resale Agreement with Kentucky Data Link, Inc., (Kentucky Data Link) Evansville, Indiana. Notice of the application was published in The Daily Record, Omaha, Nebraska, on November 17, 2009. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) of the Telecommunications Act of 1996 (the Act), Embarq and Kentucky Data Link (parties) entered into an Interconnection, Collocation and Resale Agreement arrived at through voluntary negotiations. An executed copy of this agreement is contained within the application.

No portion of the agreement discriminates against any telecommunications carrier. Furthermore, the implementation of the agreement is consistent with the public interest, convenience and necessity.

Section 252(e) of the Act requires this Commission to review extended area service agreements adopted by negotiation or arbitration to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. Using those standards, the interconnection agreement should be approved.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Interconnection, Collocation and Resale Agreement between United Telephone of the West d/b/a Embarq, Overland Park, Kansas, and Kentucky Data Link, Inc., Evansville, Indiana, be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed Interconnection, Collocation and Resale Agreement filed herein be, and it is hereby, made the official copy on file with the Nebraska Public Service Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 22nd day of December, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Donald L. Vogt

Juan Sanchez
Chairman

John Johnson

Tim Schram

ATTEST:

Shirley J. [Signature]
Executive Director

//s// Frank E. Landis