



**THOMAS, LONG,
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Attorneys and Counsellors at Law

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April 22, 2014

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, Filing Room
Harrisburg, PA 17101

Re: Application for Approval of Interconnection Agreement Between Consolidated Communications of Pennsylvania, LLC and Cingular Wireless, LLC, now known as AT&T Mobility LLC for Approval of an Interconnection Agreement Under Sections 251 and 252 of the Telecommunications Act of 1996
Docket No. A-_____


Dear Secretary Chiavetta:

Enclosed for filing please find the Application for Approval of Amendment No. 2 to the Interconnection Agreement between Consolidated Communications of Pennsylvania, LLC and Cingular Wireless, LLC, now known as AT&T Mobility LLC.

If you have any questions, please do not hesitate to contact me.

Sincerely,

THOMAS, LONG, NIESEN & KENNARD

By: 
Charles E. Thomas, III

cc: Joanie Ferrance

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Application of Consolidated Communications :
of Pennsylvania, LLC and Cingular Wireless, :
LLC, now known as AT&T Mobility LLC for :
Approval of an Interconnection Agreement :
Under Sections 251 and 252 of the :
Telecommunications Act of 1996 :

**APPLICATION OF CONSOLIDATED COMMUNICATIONS OF
PENNSYLVANIA, LLC AND CINGULAR WIRELESS, LLC,
NOW KNOWN AS AT&T MOBILITY LLC FOR APPROVAL OF
AMENDMENT NO. 2 TO THE INTERCONNECTION AGREEMENT**

Consolidated Communications of Pennsylvania, LLC (“Consolidated”) hereby requests that the Pennsylvania Public Utility Commission (“Commission”) review and approve the attached Amendment No. 2 between Consolidated and Cingular Wireless, LLC, now known as AT&T Mobility LLC (“AT&T Mobility”) pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, 47 U.S.C. §§ 251 and 252 (the “Act”). In support of this request, Consolidated states as follows:

1. The Amendment was arrived at through good faith negotiations between the parties as contemplated by Section 252 of the Act and provides for interconnection as addressed in Section 251 of the Act.

2. Pursuant to Section 252(c)(2), the Commission may only reject a negotiated agreement if it finds that (1) the Amendment discriminates against another carrier, or (2) implementation of the Amendment would not be consistent with the public interest, convenience and necessity.

3. Consolidated will make the Amendment available to any other similarly situated telecommunications carrier operating within its incumbent service territory. Other carriers are

also free to negotiate their own terms and conditions pursuant to the applicable provisions of the Act. For this reason, the Amendment is not discriminatory.

4. In addition, implementation of the Amendment is consistent with the public interest because it will permit interconnection between Consolidated and AT&T Mobility, promote competition and enhance Consolidated's ability to provide competitive local exchange services.

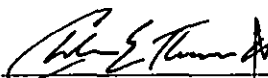
5. In accordance with § 252(e)(4) of the Act, the Amendment will be deemed approved if the Commission does not act to approve or reject the Amendment within ninety (90) days from the date of this submission.

6. Copies of the Amendment are available for public inspection in Consolidated's and AT&T Mobility's public offices.

WHEREFORE, Consolidated Communications of Pennsylvania, LLC respectfully requests that the Commission approve the attached Amendment No. 2 under § 252(e) of the Act.

Respectfully submitted,

THOMAS, LONG, NIESEN & KENNARD

By: 

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Dated: April 22, 2014

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**AMENDMENT NUMBER TWO TO THE AGREEMENT
BETWEEN
CONSOLIDATED COMMUNICATIONS OF PENNSYLVANIA, LLC
AND
CINGULAR WIRELESS LLC**

This Amendment Number Two (the "Amendment"), effective upon execution by both Parties ("Effective Date"), amends the Interconnection Agreement by and between Consolidated Communications of Pennsylvania, LLC ("Consolidated") and Cingular Wireless, LLC, now known as AT&T Mobility LLC ("AT&T Mobility"). Consolidated and AT&T Mobility are hereinafter referred to collectively as the "Parties" and individually as a "Party".

WHEREAS, Consolidated and AT&T Mobility are Parties to an Interconnection Agreement (the "Agreement") under Sections 251 and 252 of the Communications Act of 1934, as amended (the "Act"), dated October 31, 2003 and effective December 19, 2003, the date the Agreement was approved by the Pennsylvania Public Utility Commission in Docket No. A-310518; and

WHEREAS, Consolidated and AT&T Mobility (or their predecessors in interest) amended the Agreement August 6, 2012; and

WHEREAS, Section 4.5.3(d) of the Agreement provides for the adjustment of the Percent Local Usage (PLU) Factor on no more than a semi-annual basis for the purpose of identifying Telecommunications Traffic;

WHEREAS, Appendix B referenced in Section 4.5.3(d) of the Agreement currently states a PLU Factor of 100%; and

WHEREAS, *current traffic studies demonstrate the Inter-MTA Traffic between Consolidated and AT&T Mobility to be 2.2%, resulting in a PLU Factor of 97.8%; and*

WHEREAS, Consolidated and AT&T Mobility seek to amend the Agreement to reflect the actual InterMTA Traffic;

NOW, THEREFORE, in consideration of the promises and mutual agreements set forth herein, the Parties agree to amend the Agreement as follows:

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1. The Parties hereby agree that Appendix B of the Agreement is amended to reflect a PLU Factor of 97.8% as a result of the InterMTA Traffic being 2.2%. InterMTA Traffic shall be billed to AT&T Mobility at Consolidated's appropriate access tariff rate. This amendment will be effective as of June 1, 2013.
2. Appendix B is further amended to include the following: "At any time, but not more frequently than once every six months, either Party may request that an appropriate traffic study be conducted to determine if the interMTA percentage has changed. That study shall cover the most recent one week of traffic study data unless a longer time period is agreed to by the Parties. If the Parties agree that the new study shows a change in interMTA percentage, the Parties will amend the Agreement accordingly. If the Parties cannot agree, then either Party may seek expedited relief from the applicable state commission, and the other Party will not oppose expediting the proceeding."
3. EXCEPT AS MODIFIED HEREIN ALL OTHER TERMS AND CONDITIONS OF THE UNDERLYING AGREEMENT SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT. The provisions of this Amendment, including the provisions of this sentence, may not be amended, modified or supplemented, and waivers or consents to departures from the provisions of this Amendment may not be given without the written consent thereto by both Parties' authorized representative. No waiver by any Party of any default, misrepresentation, or breach of warranty or covenant hereunder, whether intentional or not, will be deemed to extend to any prior or subsequent default, misrepresentation, or breach of warranty or covenant hereunder or affect in any way any rights arising by virtue of any prior or subsequent such occurrence
4. The Agreement as amended (including the documents referred to herein) constitutes the full and entire understanding and agreement between the Parties with regard to the subjects of the Agreement as amended and supersedes any prior understandings, agreements, or representations by or between the Parties, written or oral, to the extent they relate in any way to the subjects of the Agreement as amended.

The Parties, intending to be legally bound, have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

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IN WITNESS WHEREOF, each Party agrees and warrants that it has caused this Amendment to be signed and delivered by its duly authorized representative.

Cingular Wireless LLC
now known as AT&T Mobility LLC

Consolidated Communications of Pennsylvania

By: W. Bernard Shell

By: Michael Shultz

Printed Name: W. Bernard Shell

Printed Name: Michael Shultz

Title: Lead Carrier Relations Manager

Title: Vice President Regulatory & Public Policy

Date: March 27, 2014

Date: 4/19/14

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