

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 24, 2015**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: February 9, 2015

TO: Public Utility Commission

FROM: Armando Fimbres

THROUGH: *JE by MA* Jason Eisdorfer, *AP* Bryan Conway, and *BM* Kay Marinos *KM*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: Request to approve Negotiated Interconnection Agreements and Amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996.

STAFF RECOMMENDATION:

Staff recommends the Commission approve the amendment to a previously approved interconnection agreement listed below, with the amendment to be considered legally enforceable on the date of Commission approval.

DISCUSSION:

47 U.S.C. Sections 252(a) and (e) require that any negotiated interconnection agreement, including amendments to an existing agreement, be submitted to a state commission for approval. Under 47 U.S.C. Section 252(e)(4), the Commission must approve or reject such agreements within 90 days of filing. The Commission may reject an agreement only if it finds that:

- (i) the agreement, or portion thereof, discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii) the implementation of such agreement, or portion thereof, is not consistent with the public interest, convenience, and necessity.
- See 47 U.S.C. Section 252(e)(2).

An interconnection agreement or amendment thereto is not legally enforceable until approved by a state commission. See 47 U.S.C. Sections 252(a) and (e). Accordingly, although the contracting parties may state in the agreement that each will abide by the agreement prior to its approval by the Commission, the legally enforceable date under

47 U.S.C. Section 252 of any submitted agreement or amendment is the date the Commission approves it.

Staff has reviewed the following amendment to a previously approved agreement submitted for Commission approval:

Docket	Parties to the Amendment
ARB 202(1)	TNCI Operating Company LLC, f/k/a Pac-West Telecom, Inc. and Frontier Communications Northwest Inc. f/k/a Verizon Northwest Inc.

Staff recommends approval of the amendment. Staff finds that the amendment does not discriminate against non-party telecommunications carriers and does not appear to be inconsistent with the public interest, convenience, and necessity. Accordingly, Staff concludes that there is no basis under 47 U.S.C. Section 252(e)(2) to reject the amendment.

PROPOSED COMMISSION MOTION:

The new amendment to a previously approved agreement listed above be approved.