

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

ARB 466(2)

In the Matter of	)	
	)	
SPRINT SPECTRUM L.P./NEXTEL WEST	)	
CORP. and UNITED TELEPHONE	)	ORDER
COMPANY OF THE NORTHWEST	)	
UNITED TELEPHONE COMPANY OF THE	)	
NORTHWEST,	)	
	)	
Second Amendment to the Interconnection	)	
Agreement, Submitted for Commission	)	
Approval Pursuant to Section 252(e) of the	)	
Telecommunications Act of 1996.	)	

**DISPOSITION: AMENDMENT APPROVED**

On June 19, 2006, Sprint Spectrum L.P./Nextel West Corp. and United Telephone Company of the Northwest filed a second amendment to the interconnection agreement and subsequent amendment previously approved by the Public Utility Commission by Orders No. 03-111 and 04-112. The parties seek approval of the amendment under Section 252(e) of the Telecommunications Act of 1996. The Commission provided notice by posting an electronic copy of the agreement and amendment on the World Wide Web, at: <http://www.puc.state.or.us/caragmnt/>. Only the Commission Staff (Staff) filed comments.

Sprint Spectrum and Nextel West have merged to form a single company known as "Sprint Nextel." The amendment to the agreement consolidates several agreements between Sprint Spectrum or Nextel West and United Telephone Company of the Northwest. The original Nextel and United agreement, ARB 233, was replaced by a second Nextel West and United agreement, ARB 385. The original Sprint Spectrum and United agreement, ARB 189, was replaced by a second Sprint Spectrum and United agreement, ARB 263. ARB 385 and ARB 263 were both terminated on June 22, 2006. The remaining Sprint and United agreement, ARB 466, is the surviving interconnection agreement. All interconnections terms and conditions for the combined company, Sprint Nextel, are now included in ARB 466.

Under the Act, the Commission must approve or reject an agreement reached through voluntary negotiation within 90 days of filing. The Commission may reject an agreement only if it finds that:

- (1) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity.

An interconnection agreement or amendment thereto has no effect or force until approved by a state Commission. *See* 47 U.S.C. Sections 252 (a) and (e). Accordingly, the effective date of this filing(s) will be the date the Commission signs an order approving it, and any provision stating that the parties' amendment is effective prior to that date is not enforceable.

Staff recommended approval of the amendment. Staff concluded that the amendment to the previously approved agreement does not appear to discriminate against telecommunications carriers who are not parties to the agreement and does not appear to be inconsistent with the public interest, convenience, and necessity.

### **OPINION**

The Commission adopts Staff's recommendation and concludes that there is no basis under the Act to reject the amendment to the previously approved agreement. No participant in the proceeding has requested that the amendment be rejected or has presented any reason for rejection. Accordingly, the amendment should be approved.

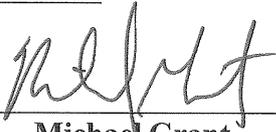
### **CONCLUSIONS**

1. There is no basis for finding that the amendment to the previously approved agreement discriminates against any telecommunications carrier not a party to the agreement.
2. There is no basis for finding that implementation of the amended agreement is not consistent with the public interest, convenience, and necessity.
3. The amendment should be approved.

**ORDER**

IT IS ORDERED that the amendment to the previously approved agreement between Sprint Spectrum L.P./Nextel West Corp. and United Telephone Company of the Northwest is approved.

Made, entered, and effective JUL 24 2006.



**Michael Grant**  
Chief Administrative Law Judge  
Administrative Hearings Division



A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.