

ORDER NO. 20-205

ENTERED Jul 01 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 628(6), ARB 814(9), ARB 846(1), ARB 906(1), ARB 907(1),
ARB 923(2), ARB 958(6), ARB 1062(1), ARB 1193(1), ARB 1194, ARB 1195

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON STAFF,

Request to approve Negotiated Interconnection
Agreements and Amendments Submitted
Pursuant to Section 252(e) of the
Telecommunications Act of 1996.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on June 30, 2020, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.



BY THE COMMISSION:

A handwritten signature in blue ink, appearing to read "Nolan Moser".

Nolan Moser
Chief Administrative Law Judge
Administrative Hearings Division

A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order to a court pursuant to applicable law.

ITEM NO. CA5

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: June 30, 2020**

REGULAR _____ **CONSENT** X **EFFECTIVE DATE** _____ **N/A** _____

DATE: June 17, 2020

TO: Public Utility Commission

FROM: Stephen Hayes

THROUGH: Bryan Conway and Michael Dougherty

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:

Approve the new negotiated interconnection agreements and amendments listed below, with the new and amended agreements 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

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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 new agreement and amendments organized by filing date and submitted for Commission approval:

Docket	Parties to the Agreement or Amendment
ARB 958(6)	Neutral Tandem, Inc. and Qwest Corporation dba CenturyLink QC
ARB 846(1)	BullsEye Telecom, Inc. and Verizon Northwest Inc.
ARB 1193(1)	BullsEye Telecom, Inc. and Citizens Telecommunications Company of Oregon
ARB 1062(1)	BCN Telecom Inc and Qwest Corporation dba CenturyLink QC
ARB 923(2)	EnTelegent Solutions Inc and Qwest Corporation dba CenturyLink QC
ARB 1194	Teleport Communications America, LLC and Canby Telephone Association dba Directlink
ARB 1195	Canby Telephone Association dba Directlink and Electric Lightwave, LLC dba Allstream
ARB 628(6)	Cal-Ore Telephone Co. and Qwest Corporation dba CenturyLink QC
ARB 906(1)	Easton Telecom Services, LLC and Qwest Corporation dba CenturyLink QC
ARB 907(1)	Hunter Construction Inc. and Qwest Corporation dba CenturyLink QC
ARB 814(9)	Rio Communications, Inc. dba Qwest Corporation dba CenturyLink QC

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Staff recommends approval of the agreements and amendments. Staff finds that the new and amended agreements do not discriminate against non-party telecommunications carriers and do not appear to be inconsistent with the public interest, convenience, and necessity. Accordingly, Staff concludes that there is no basis under the Act to reject the agreements or amendments to agreements.

PROPOSED COMMISSION MOTION:

Approve the new negotiated interconnection agreement and amendments listed above.