

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 15, 2014

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: May 1, 2014

TO: Public Utility Commission

FROM: Armando Fimbres 

THROUGH: Jason Eisdorfer, Bryan Conway, and Kay Marinos   

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 new negotiated interconnection agreements and the amendments to previously approved interconnection agreements listed below, with the agreements and amendments to be considered legally enforceable on the date of Commission approval.

DISCUSSION:

47 U.S.C. Sections 252(a) and (e) (Section 252) require that any negotiated interconnection agreement, including amendments to an existing agreement, be submitted to a state commission for approval. Under the Act, 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 Section 252(e)(2).

An interconnection agreement or amendment thereto is not legally enforceable until approved by a state commission. See 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 Section 252 of any submitted agreement or amendment is the date the Commission approves it.

Staff has reviewed the following new agreements and amendments to previously approved agreements submitted for Commission approval:

Docket	Parties to the Amendments or Agreements
ARB 458(2)	Sprint Spectrum L.P. and Qwest Corporation dba CenturyLink QC
ARB 466(3)	Sprint Spectrum L.P. and United Telephone Company of the Northwest d/b/a CenturyLink
ARB 526(9)	Sprint Communications Company L.P. and Qwest Corporation dba CenturyLink QC
ARB 1058	Sprint Spectrum L.P. and Asotin Telephone Company d/b/a/ TDS Telecom
ARB 1059	Sprint Spectrum L.P. and Home Telephone Company d/b/a/ TDS Telecom

Staff recommends approval of the agreements and amendments. Staff finds that the agreements and amendments 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.

PROPOSED COMMISSION MOTION:

The new agreements and amendments to previously approved agreements listed above be approved.