

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: March 12, 2013

REGULAR \_\_\_\_\_ CONSENT  X  EFFECTIVE DATE \_\_\_\_\_ N/A \_\_\_\_\_

DATE: March 1, 2013

TO: Public Utility Commission

FROM: Mitch Moore 

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

**DISCUSSION:**

47 U.S.C. Sections 252(a) and (e) (hereafter "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 amendments submitted for Commission approval:

| <b>Docket</b> | <b>Parties to the Amendment or Agreement</b>                                      |
|---------------|---|
| ARB 679(1)    | United States Cellular Corporation and Cascade Utilities, Inc.                    |
| ARB 680(1)    | United States Cellular Corporation and Trans-Cascades Telephone Company           |
| ARB 681(1)    | United States Cellular Corporation and Mount Angel Telephone Company              |
| ARB 682(1)    | United States Cellular Corporation and North-State Telephone Co.                  |
| ARB 683(1)    | United States Cellular Corporation and Monroe Telephone Company                   |
| ARB 684(1)    | United States Cellular Corporation and Stayton Cooperative Telephone Company      |
| ARB 685(1)    | United States Cellular Corporation and Oregon Telephone Corporation               |
| ARB 686(1)    | United States Cellular Corporation and Eagle Telephone System, Inc.               |
| ARB 687(1)    | United States Cellular Corporation and Nehalem Telecommunications, Inc.           |
| ARB 688(1)    | United States Cellular Corporation and St. Paul Cooperative Telephone Association |
| ARB 689(1)    | United States Cellular Corporation and Pioneer Telephone Cooperative              |
| ARB 690(1)    | United States Cellular Corporation and People's Telephone Co.                     |
| ARB 692(1)    | United States Cellular Corporation and Molalla Telephone Company                  |
| ARB 693(1)    | United States Cellular Corporation and Gervais Telephone Company                  |
| ARB 694(1)    | United States Cellular Corporation and Colton Telephone Company                   |
| ARB 696(1)    | United States Cellular Corporation and Scio Mutual Telephone Association          |

- ARB 701(1) United States Cellular Corporation and Monitor Cooperative Telephone Company
- ARB 702(1) United States Cellular Corporation and Helix Telephone Co.
- ARB 707(1) United States Cellular Corporation and Pine Telephone System, Inc.
- ARB 717(1) United States Cellular Corporation and Clear Creek Mutual Telephone Company
- ARB 782(1) United States Cellular Corporation and Beaver Creek Cooperative Telephone Company
- ARB 941(1) MCImetro Access Transmission Services, LLC dba Verizon and United Telephone Company of the Northwest dba CenturyLink

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

**PROPOSED COMMISSION MOTION:**

The amendments to previously negotiated agreements listed above be approved.