

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 729

In the Matter of)	
)	
QWEST CORPORATION)	
)	RULING
Petition for Approval of Wireless)	
Interconnection Agreement with)	
Silke Communications, Inc.)	

DISPOSITION: STAFF REVIEW REQUESTED

On March 17, 2006, Qwest Corporation (Qwest) petitioned the Public Utility Commission of Oregon (Commission) for approval of an interconnection agreement with Silke Communications, Inc. (Silke). In its petition, Qwest cites a recent decision by the Federal Communications Commission (FCC) in which it amended its rules to clarify that an incumbent local exchange carrier (ILEC), such as Qwest, may initiate interconnection proceedings with a commercial mobile radio service (CMRS) provider, such as Silke, under 47 USC §§ 251 and 252. *See In the Matter of Developing a Unified Intercarrier Compensation Regime; T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs*, CC Docket No. 01-92, FCC 05-042, 20 FCC Rcd 4855, 4864-65 (rel Feb 24, 2005) (*T-Mobile Order*).

Qwest states that it has sent three requests for negotiation of an interconnection agreement to Silke, with no response. Further, Silke has not responded to this petition. Qwest characterizes this arbitration as a case with no disputed issues and requests that the Commission approve the proposed wireless agreement as written, without changes or disputed issues. However, Qwest also acknowledges that the Commission should ensure that the proposed agreement meets “the requirements of section 251 of the Act, including the regulations prescribed by the FCC pursuant to section 251 and the *T-Mobile Order*, or any other requirements within the Commission’s state law authority that are consistent with the Act and FCC regulations, as permitted under section 252(e)(3) of the Act.” Qwest Petition, 7.

To ensure that the agreement complies with 47 USC § 251, and other applicable state and federal laws, Commission Staff is requested to review the proposed agreement between Qwest and Silke and report on its findings by Friday, May 12, 2006.

Dated at Salem, Oregon, this 17th day of April, 2006.

Christina M. Smith
Administrative Law Judge