

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

ARB 219(18 & 19)

In the Matter of )  
 )  
INTEGRA TELECOM OF OREGON, INC. ) STAFF COMMENTS  
and QWEST CORPORATION. )  
 )  
Eighteenth and Nineteenth Amendments to the )  
Interconnection Agreement Submitted for )  
Commission Approval Pursuant to Section )  
252(e) of the Telecommunications Act of 1996. )

**RECOMMENDATION: APPROVE AMENDMENTS**

On May 26, 2006, Integra Telecom, Inc. and Qwest Corporation filed the eighteenth and nineteenth amendments to the interconnection agreement previously acknowledged by the Public Utility Commission of Oregon (Commission), recognizing the adoption of ARB 3 terms. 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 on the World Wide Web, at: <http://www.puc.state.or.us/caragmnt/>. The Commission Staff (Staff) offers these comments.

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.

Staff recommends the Commission approve the amendments to the agreement. Staff concludes that the amendments do not appear to discriminate against telecommunications carriers who are not parties to the agreement and do not appear to be inconsistent with the public interest, convenience, and necessity.

Staff notes that 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, Staff points out that the effective date of these filings will be the date the Commission signs an order approving them, and that any provision stating that the parties' agreement is effective prior to that date is not enforceable.

Dated at Salem, Oregon, this 14<sup>th</sup> day of June, 2006.

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**Celeste Hari**  
Telecommunications Analyst  
Competitive Issues  
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