


September 12, 2012

ADMINISTRATIVE HEARINGS DIVISION
PUBLIC UTILITY COMMISSION OF OREGON
550 CAPITOL STREET NE SUITE 215
SALEM OR 97301-2551

RE: ARB 469(3)

Attached are the Public Utility Commission's staff comments regarding the above named amendment to an interconnection agreement between Comcast Phone of Oregon, LLC and Frontier Communications Northwest, Inc.



Mitch Moore
Sr. Telecommunications Analyst
Telecommunications Division
503-378-6635

cc: Michael Weirich, Department of Justice
Kim Douglass, Frontier Northwest
Robert Munoz, Comcast Phone of Oregon, LLC

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

ARB 469(3)

In the Matter of)
)
Comcast Phone of Oregon, LLC and Frontier) STAFF COMMENTS
Communications Northwest, Inc.)
)
Interconnection Agreement Submitted for)
Commission Approval Pursuant to Section)
252(e) of the Telecommunications Act of 1996.)

RECOMMENDATION: APPROVE AMENDMENT

On June 20, 2012, Comcast Phone of Oregon, LLC and Frontier Communications Northwest, Inc. filed an amendment to their interconnection agreement with the Public Utility Commission of Oregon (Commission). The Parties seek approval of this amendment under Section 252(e) of the Telecommunications Act of 1996. The Commission provided notice by posting an electronic copy of the amendment on its website at <http://apps.puc.state.or.us/edockets/filings.asp>. The Commission Staff (Staff) offers these comments.

Under the Act, the Commission must approve or reject an agreement or amendment to an existing agreement reached through voluntary negotiation within 90 days of filing. The Commission may reject an agreement or an amendment only if it finds that:

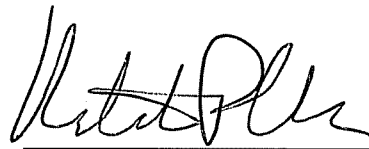
- (1) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such agreement or portion thereof is not consistent with the public interest, convenience, and necessity.

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 this filing will be the date the Commission signs an order approving it, and that any provision stating that the parties' agreement is effective prior to that date is not enforceable.

The amendment should have been placed on the Consent Agenda for the September 13, 2012 Public Meeting. However, the amendment inadvertently did not appear on the Public Meeting Agenda. The due date for the order for this amendment is September 18, 2012, which is before the next regularly scheduled public meeting on September 25, 2012. Therefore, staff requests that a separate order be written approving the amendment.

Staff concludes that the amendment does not appear to discriminate against telecommunications carriers who are not parties to the amendment and does not appear to be inconsistent with the public interest, convenience, and necessity.

Dated at Salem, Oregon, this 12th day of September, 2012.

A handwritten signature in black ink, appearing to read "Mitch Moore", written over a horizontal line.

Mitch Moore

Sr. Telecommunications Analyst
Competitive Issues
Telecommunications Division

CERTIFICATE OF SERVICE

ARB 469

I certify that I have, this day, served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-001-0180, to the following parties or attorneys of parties.

Dated this 12th day of September, 2012 at Salem, Oregon

Kay Barnes

Kay Barnes
Public Utility Commission
550 Capitol St NE Ste 215
Salem, Oregon 97301-2551
Telephone: (503) 378-5763

ARB 469
SERVICE LIST

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