

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

ARB 52 (6&7)

In the Matter of)
)
GLOBAL CROSSING LOCAL SERVICES) STAFF COMMENTS
and QWEST CORPORATION,)
)
Sixth and Seventh Amendments to the)
Interconnection Agreement Submitted for)
Commission Approval Pursuant to Section)
252(e) of the Telecommunications Act of 1996.)

RECOMMENDATION: APPROVE AMENDMENTS

On June 15, 2004, Global Crossing Local Services f/k/a Frontier Local Services, Inc., and Qwest Corporation (Qwest) filed the sixth and seventh amendments to the interconnection agreement previously approved by 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 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 thereof is not consistent with the public interest, convenience, and necessity.

These amendments were filed in accordance with recent FCC clarifications regarding Section 252 of the 1996 Telecommunications Act and directory assistance and operator services. The amendments were entered into in 1998, prior to the clarification under the assumption that directory assistance and operator services were not subject to Commission approval.

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 amendments are effective prior to that date is not enforceable.

Staff recommends approval of the amendments. Staff concludes that the amendments themselves do not appear to discriminate against telecommunications carriers who are not parties to the amendments and does not appear to be inconsistent with the public interest, convenience, and necessity.

Dated at Salem, Oregon this 6th day of July, 2004.

Celeste Hari
Telecommunications Analyst