

Law Office of
Richard A. Finnigan

Richard A. Finnigan
(360) 956-7001
rickfinn@localaccess.com

2112 Black Lake Blvd. SW
Olympia, Washington 98512
Fax (360) 753-6862

Kathy McCrary, Paralegal
(360) 753-7012
kathym@localaccess.com

January 31, 2006

VIA E-FILING AND U.S. MAIL

Oregon Public Utility Commission
Administrative Hearings Division
550 Capitol Street NE Suite 215
Salem OR 97301-2551

Re: Docket No. ARB 592; Traffic Exchange Agreement Amendment
Between Gervais Telephone Company and Sprint Spectrum
L.P./Nextel Operations, Inc.

Dear Sir/Madam:

I would like to submit brief comments in response to Commission Staff's comments in this docket.

The Commission Staff has noted in its comments that an interconnection agreement is not effective until approved by order of the Commission. However, for purposes of applying the pricing, those agreements between ILECs and CMRS providers are authorized by federal law to relate back to the date that a request for interconnection is made. Thus, the rates set forth for the charging of terminating traffic apply as of the date the request was made, not just as of the date of the Commission order. See, 47 C.F.R. 20.11(f) and In the Matter of Developing a Unified Intercarrier Compensation, T-Mobile et. al Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs, CC Docket No. 01-92, Declaratory Ruling and Report and Order, FCC 05-42 (Released Feb. 24, 2005).

Sincerely,

Richard A. Finnigan / km
RICHARD A. FINNIGAN

RAF/km

cc: John Hoffmann