

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

ARB 637(4)

In the Matter of)
)
VERIZON NORTHWEST, INC. and QWEST) STAFF COMMENTS
CORPORATION,)
)
Fourth Amendment to the Interconnection)
Agreement Submitted for Commission)
Approval Pursuant to Section 252(e) of the)
Telecommunications Act of 1996.)

RECOMMENDATION: DENY AMENDMENT

On June 15, 2005, Verizon Northwest, Inc. and Qwest Corporation (Qwest) filed a fourth amendment 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.

Staff had a telephone conference with Qwest on July 15, 2005, to discuss questionable language contained within this filing and several others that were filed close to the same time. The language in question referred to an "approved" SGAT and also did not refer to a specific version of the SGAT the amendments were based on.

The Commission does not approve the SGAT filings. There is no approve SGAT on file in Oregon. Stating that the terms in the amendments rely on a Commission approved SGAT is incorrect. Failing to state which version of the SGAT the amendment refers to leaves it

ambiguous as to what the terms of the amendment actually are. It is not in the public interest to approve incorrect or ambiguous terms in an interconnection agreement.

It was agreed at the meeting that correcting sheets would be filed within two weeks. The due dates for Staff Comments and the order were adjusted for this delay. Qwest filed the sheets for all of the amendments in question, except for this one. The Commission is now up against the deadline to approve or disapprove this amendment and attempts to get the corrected sheets filed have failed.

For the reasons stated above, Staff recommends that the Commission deny this amendment.

Dated at Salem, Oregon this 9th day of September, 2005.

Celeste Hari
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