

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

ARB 729

In the Matter of )  
 )  
In the Matter of ) **STAFF COMMENTS**  
 )  
QWEST CORPORATION )  
 )  
Petition for Approval of Wireless )  
Interconnection Agreement with Silke )  
Communications, Inc. )

On March 17, 2006, Qwest Corporation (Qwest) petitioned the Public Utility Commission of Oregon (Commission) for approval of an interconnection agreement with Silke Communications, Inc. (Silke). In its petition, Qwest cites a recent Federal Communications Commission (FCC) decision in which the FCC amended its rules to clarify that an incumbent local exchange carrier (ILEC), such as Qwest, may initiate interconnection proceedings with a commercial mobile radio service (CMRS) provider, such as Silke, under 47 USC §§ 251 and 252. *See In the Matter of Developing a Unified Intercarrier Compensation Regime; T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs*, CC Docket No. 01-92, FCC 05-042, 20 FCC Rcd 4855, 4864-65 (rel Feb. 24, 2005) (*T-Mobile Order*). 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/>. On April 17, 2006, a Hearings Officer Ruling was issued requesting a staff review of the agreement. The Commission Staff (Staff) offers these comments.

The agreement, as filed, is incomplete. The cover page of the agreement does not contain the paging provider's name or the state in which the agreement is being filed. On page 1 of the agreement, the name of the paging provider is not inserted where it should be. On the next line the state of incorporation for the paging provider is left blank. On page 18 of the agreement, the paging provider's Trouble Reporting Control Office telephone number is left blank. On page 35 of the agreement, the paging provider information is not listed. This missing information leads staff to believe that the agreement is a standard document that could be used for any paging provider. Staff believes that the agreement should contain the specific information relating to the specific paging provider involved in the docket prior to Commission approval or enforcement of the agreement.

The agreement is similar to those that have been filed as negotiated agreements between Qwest and other paging providers. The terms of the agreement itself do not appear to

discriminate against telecommunications providers, wireless carriers, or paging providers who are not parties to the agreement. The agreement does not appear to be inconsistent with the public interest, convenience, and necessity. The agreement appears to comply with 47 USC §§ 251 and 252 and other applicable state and Federal laws.

Dated at Salem, Oregon, this 12<sup>th</sup> day of May, 2006.

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