

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 97(2)

In the Matter of)	
)	
COVAD COMMUNICATIONS COMPANY)	PUC STAFF'S
and VERIZON NORTHWEST INC.)	REPLY COMMENTS
)	
Adopting the Negotiated Interconnection)	
Agreement between NUI TELECOM, INC.)	
and VERIZON MARYLAND, INC. which was)	
previously approved by the Maryland Public)	
Service Commission, Submitted Pursuant to)	
Section 252(e) of the Telecommunications Act)	
of 1996.)	

RECOMMENDATION: APPROVE AMENDMENT

The Public Utility Commission of Oregon's staff (Staff) submits the following reply comments regarding the interconnection agreement between Covad Communications Company (Covad) and Verizon Northwest Inc. (Verizon). Covad and Verizon filed the agreement with the Commission on May 17, 2005, as provided under Section 252(e) of the Telecommunications Act of 1996.

Staff filed original comments regarding this amendment on June 7, 2005, recommending that the Commission reject the amendment as moot. The amendment appeared to have expired prior to it being filed and did not contain an Evergreen Clause to continue the terms after the expiration date. June 29, 2005, Verizon filed additional material which Staff views as an objection to the original comments.

The amendment is an MFN. The additional material filed by Verizon included an Evergreen Clause found in the original underlying Maryland agreement. Since the amendment in question is an MFN, the Maryland clause is integrated into the Oregon agreement. The amendment is therefore, is still in effect and does need Commission approval.

In light of the information provided by Verizon, Staff recommends that the Commission approve the amendment. The amendment is a typical MFN and does not appear to discriminate against telecommunications carriers that are not party to the agreement and is not inconsistent with the public interest, convenience, and necessity.

Dated at Salem, this 12th day of July, 2005.

Celeste Hari
Telecommunications Analyst
Competitive Issues