

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: June 6, 2019

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE \_\_\_\_\_ N/A \_\_\_\_\_

DATE: May 23, 2019

TO: Public Utility Commission

FROM: Kay Marinos *KM*

THROUGH: Jason Eisdorfer *JE* and Bryan Conway *BC*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: Request to approve Negotiated Interconnection Agreements and Amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996.

**STAFF RECOMMENDATION:**

Staff recommends the Commission approve the new negotiated interconnection agreement and related amendment as well as the amendment to a previously approved agreement listed below, with the agreement and amendments to be considered legally enforceable on the date of Commission approval.

**DISCUSSION:**

47 U.S.C. Sections 252(a) and (e) require that any negotiated interconnection agreement, including amendments to an existing agreement, be submitted to a state commission for approval. Under 47 U.S.C. Section 252(e)(4), the Commission must approve or reject such agreements within 90 days of filing. The Commission may reject an agreement only if it finds that:

- (i) the agreement, or portion thereof, discriminates against a telecommunications carrier not a party to the agreement; or
  - (ii) the implementation of such agreement, or portion thereof, is not consistent with the public interest, convenience, and necessity.
- See 47 U.S.C. Section 252(e)(2).

An interconnection agreement or amendment thereto is not legally enforceable until approved by a state commission. See 47 U.S.C. Sections 252(a) and (e). Accordingly, although the contracting parties may state in the agreement that each will abide by the

agreement prior to its approval by the Commission, the legally enforceable date under 47 U.S.C. Section 252 of any submitted agreement or amendment is the date the Commission approves it.

Staff has reviewed the following new agreement and related amendment, as well as an amendment to another previously approved agreement, submitted for Commission approval:

<b>Docket</b>	<b>Parties to the Agreement or Amendment</b>
ARB 1185 & ARB 1185(1)	Teliax, Inc. and Qwest Corporation dba CenturyLink
ARB 665(8)	Level 3 Communications, LLC and Qwest Corporation dba CenturyLink

Staff recommends approval of the agreement and amendments. Staff finds that the agreement and amendments do not discriminate against non-party telecommunications carriers and do not appear to be inconsistent with the public interest, convenience, and necessity. Accordingly, Staff concludes that there is no basis under the Act to reject the agreement and amendments.

**PROPOSED COMMISSION MOTION:**

Approve the new negotiated interconnection agreement and amendments listed above.