

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

ARB 208(4), ARB 509(18), ARB 665(2), ARB 904, ARB 905, ARB 906, ARB 907

In the Matter of

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF,

ORDER

Request to approve Negotiated Interconnection  
Agreements and Amendments Submitted Pursuant to  
Section 252(e) of the Telecommunications Act of 1996.

**DISPOSITION: AGREEMENTS AND AMENDMENTS APPROVED**

The Public Utility Commission of Oregon (Commission) Staff recommended approval of certain negotiated interconnection agreement(s) and amendment(s) submitted pursuant to Section 252(e) of the Telecommunications Act of 1996 (Act). The identification of the agreement(s) and amendment(s) and the basis for Staff's recommendation are set forth in a Public Meeting Report, which is attached as Appendix A and incorporated by reference.

At the July 28, 2009, Public Meeting, the Commission adopted Staff's recommendation and approved the identified agreement(s) and amendment(s). The Commission Staff concluded that there is no basis under the Act to reject the agreement(s) and amendment(s). Accordingly, the agreement(s) and amendment(s) listed in Staff's report are approved, effective from the date of the public meeting.

**ORDER**

IT IS ORDERED that the agreement(s) and amendment(s) identified in Appendix A are approved.

Made, entered, and effective AUG 06 2009



A handwritten signature in black ink, appearing to read "Michael Grant", is written over a horizontal line.

**Michael Grant**  
Chief Administrative Law Judge  
Administrative Hearings Division

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.

ITEM NO. CA17

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: July 28, 2009

REGULAR \_\_\_\_\_ CONSENT X EFFECTIVE DATE \_\_\_\_\_

DATE: July 16, 2009

TO: Public Utility Commission

FROM: Celeste Hari *CH*

THROUGH: Lee Sparling, Bryan Conway, Kay Marinos and Shelley Jones  
*in* *KM for BC* *KM* *KM for SF*

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 agreements and the amendments to previously approved interconnection agreements listed below.

**DISCUSSION:**

Section 252(e) of the Telecommunications Act of 1996 (Act) requires that any negotiated interconnection agreement, including amendments to an existing agreement, be submitted to a state commission for approval. Under the Act, 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 Section 252(e)(2).

An interconnection agreement or amendment thereto has no effect or force until approved by a state commission. See 47 U.S.C. Sections 252 (a) and (e). Accordingly, the effective date of any submitted agreement or amendment will be the date the

ARB Agreements  
 July 16, 2009  
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Commission approves it, and any provision stating that the parties' agreement or amendment is effective prior to that date is not enforceable.

Staff has reviewed the following new negotiated interconnection agreements and amendments to previously approved agreements submitted for Commission approval:

<b>Docket</b>	<b>Parties to the Amendment or Agreement</b>
ARB 208(4)	Advanced Telcom, Inc. and Verizon Northwest Inc.
ARB 509(18)	Lightspeed Networks, Inc. dba LS Networks and Qwest Corporation
ARB 665(2)	Level 3 Communications, LLC and Qwest Corporation
ARB 904	Budget PrePay, Inc. and United Telephone Company of the Northwest dba Embarq
ARB 905	Centel Communications, Inc. and Qwest Corporation
ARB 906	Easton Telecom Services, LLC and Qwest Corporation
ARB 907	Hunter Construction Inc. dba Hunter Communications and Qwest Corporation

Staff recommends approval of the interconnection agreements and amendments. Staff finds that the agreements 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 agreements or amendments.

**PROPOSED COMMISSION MOTION:**

The new interconnection agreements and the amendments to the previously approved agreements listed above be approved.