

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

ARB 97(3), ARB 527A(8), ARB 527B(7), ARB 896(1), ARB 928(1), ARB 953, ARB 954

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 agreements and amendments 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.

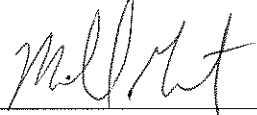
At the June 8, 2010 Public Meeting, the Commission adopted Staff's recommendation and approved the identified agreement(s) and amendment(s). The Commission Staff concluded that there is no basis under the Act to reject the agreement(s) and amendment(s). Accordingly, the agreement(s) and amendment(s) 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 JUN 10 2010



  
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**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.

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: June 8, 2010

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

DATE: May 26, 2010

TO: Public Utility Commission

FROM: Celeste Hari *CH*

THROUGH: Bryan Conway *BC* and Kay Marinos *KM*, Mitch Moore *MM*

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 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  
 May 26, 2010  
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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 negotiated interconnection agreements and amendments submitted for Commission approval:

<b>Docket</b>	<b>Parties to the Amendment or Agreement</b>
ARB 97(3)	Covad Communications Company and Verizon Northwest Inc.
ARB 527A(8)	TCG Oregon and Qwest Corporation
ARB 527B(7)	AT&T Communications of the Pacific Northwest, Inc. and Qwest Corporation
ARB 896(1)	Eltopia Communications, LLC and Qwest Corporation
ARB 928(1)	DataVision Communications LLC and Qwest Corporation
ARB 953	LCW Wireless Operations, LLC and Pioneer Telephone Company
ARB 954	LCW Wireless Operations, LLC and Molalla Communications Company

Staff recommends approval of the 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 negotiated interconnection agreements and the amendments to previously approved agreements listed above be approved.

ARB agreements June 8, 2010.doc