

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

ARB 165(4), ARB 401(10), ARB 844(2), ARB 962, ARB 963, ARB 964, ARB 965

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 August 10, 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     AUG 17 2010    .



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. CA4

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT**

**PUBLIC MEETING DATE: Aug 10, 2010**

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

DATE: August 2, 2010

TO: Public Utility Commission

FROM: Celeste Hari *CH*

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

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  
 August 2, 2010  
 Page 2

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 165(4)	MCImetro Access Transmission Services LLC and Verizon Northwest Inc.
ARB 401(10)	Douglas Services, Inc. and Qwest Corporation
ARB 844(2)	XO Communications Services, Inc. and Qwest Corporation
ARB 962	United States Cellular Corporation and Qwest Corporation
ARB 963	NetTALK.com, Inc., and United Telephone Company of the Northwest dba CenturyLink
ARB 964	Triarch Marketing, Inc. and Verizon Northwest Inc.
ARB 965	Axxis Communications, Inc. and United Telephone Company of the Northwest dba CenturyLink

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 the previously approved interconnection agreements listed above be approved.