

ORDER NO. 11 137

ENTERED APR 26 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 985, ARB 178(2), ARB 302(27), ARB 870(3)

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON STAFF,

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

ORDER

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 April 19, 2011 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 APR 26 2011



Michael Grant
Michael Grant
Chief Administrative Law Judge
Administrative Hearings Division

A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order to a court pursuant to applicable law.

ITEM NO. CA7

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: April 19, 2011**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: April 6, 2011

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 newly negotiated interconnection agreement 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

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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 agreement and amendments submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 985	Verizon Wireless LLC and CenturyTel of Eastern Oregon, Inc. dba CenturyLink and CenturyTel of Oregon, Inc. dba CenturyLink
ARB 178(2)	New Edge Network Inc. dba New Edge Networks and Frontier Communications Northwest Inc.
ARB 302(27)	McLeodUSA Telecommunications Services, Inc. and Qwest Corporation
ARB 870(3)	Quantum Communications, LLC and Qwest Corporation

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 or amendments.

PROPOSED COMMISSION MOTION:

The newly negotiated interconnection agreement and the amendments to previously approved agreements listed above be approved.

ARB Agreements April 19, 2011