

ORDER NO. 11 335

ENTERED AUG 26 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 989, ARB 991, ARB 483(16)

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

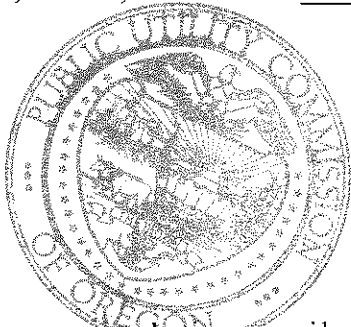
The Public Utility Commission of Oregon (Commission) Staff recommended approval of certain negotiated interconnection agreements and amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996 (Act). The identification of the agreement(s) and amendment(s) and the basis for Staff's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

At the August 23, 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 AUG 26 2011



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 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. CA14

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: August 23, 2011**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: August 12, 2011

TO: Public Utility Commission

FROM: Mitch Moore *MM*

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

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 amendment to a previously approved interconnection agreement 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 12, 2011
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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 interconnection agreements and amendment to a previously approved interconnection agreement submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 989	IPDATASTREAM, LLC and Qwest Corporation
ARB 991	Frontier Communications of America, Inc. and Frontier Communications Northwest Inc.
ARB 483(16)	United Communications, Inc. dba Unicom

Staff recommends approval of the agreements and the amendment. Staff finds that the agreements and the amendment 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 and the amendment.

PROPOSED COMMISSION MOTION:

The new agreements and amendment to a previously approved agreement listed above be approved.

ARB agreements 8-23-11.doc