

ORDER NO. 11 486

ENTERED DEC 06 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 996, ARB 997, ARB 814(4&5)

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: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on December 6, 2011, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter, attached as Appendix A.



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. CA10

PUBLIC UTILITY COMMISSION OF OREGON
 STAFF REPORT
 PUBLIC MEETING DATE: December 6, 2011

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: November 28, 2011

TO: Public Utility Commission

FROM: ^{mm} Mitch Moore

THROUGH: ^{LSS} Lee Sparling, ^{BAC} Bryan Conway, and ^{KM} Kay Marinos

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 amendments to the 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).

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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 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 amendments to the previously approved interconnection agreement submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 996	tw telecom of oregon llc and CenturyTel of Oregon, Inc. dba CenturyLink and CenturyTel of Eastern Oregon, Inc. dba CenturyLink
ARB 997	Adams Technology Group, Corp. and Qwest Corporation dba CenturyLink QC
ARB 814(4&5)	Umpqua Telecom Services Corp. dba Rio Networks and Qwest Corporation dba CenturyLink QC

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

PROPOSED COMMISSION MOTION:

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

ARB agreements 12- 6-11.doc