ORDER NO.   12 313

ENTERED   AUG 1 5 2012

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

ARB 16(7), ARB 760(1), ARB 704(1), ARB 705(1)

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

This order memorializes the decision of the Public Utility Commission of Oregon to adopt Staff's recommendation in this matter, attached as Appendix A, made and effective at a public meeting held on August 14, 2012.

Dated this 15 day of __August__, 2012, at Salem, Oregon.

BY THE COMMISSION:

Becky L. Beier
Becky L. Beier
Commission Secretary

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.

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: August 14, 2012

REGULAR _____ CONSENT __X__ EFFECTIVE DATE _____ N/A _____

DATE: August 6, 2012

TO: Public Utility Commission

FROM: Mitch Moore

THROUGH: Jason Eisdorfer, Bryan Conway, and 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 amendments to previously approved
agreements listed below, with the amendments to be considered legally enforceable on
the date of Commission approval.

DISCUSSION:

47 U.S.C. Sections 252(a) and (e) (hereafter "Section 252") require 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 is not legally enforceable until approved by a state commission. *See* Sections 252 (a) and (e). Accordingly, although the contracting parties may state in the agreement that each will abide by the agreement prior to its approval by the Commission, the legally enforceable date under Section 252 of any submitted agreement or amendment is the date the Commission approves it.

Staff has reviewed the following amendments to previously approved agreements submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 16(7)	New Cingular Wireless PCS, LLC dba AT&T Mobility and Qwest Corporation dba CenturyLink QC
ARB 760(1)	USA Mobility Wireless, Inc. and Qwest Corporation dba CenturyLink QC
ARB 704(1)	Cingular Wireless PCS, LLC dba AT&T Mobility and Asotin Telephone Company dba TDS Telecom
ARB 705(1)	Cingular Wireless PCS, LLC dba AT&T Mobility and Home Telephone Company dba TDS Telecom

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

PROPOSED COMMISSION MOTION:

The new amendments to previously approved agreements listed above be approved.

ARB agreements 8-14-12.doc