

ORDER NO. 12 361

ENTERED SEP 26 2012

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 1012, ARB 814(7), ARB 844(4), ARB 832(2),
ARB 892(1), ARB 732(1), ARB 733(1), ARB 736(1),
ARB 781(1), ARB 746(1), ARB 893(1), ARB 738(1), ARB 737(1)

In the Matter of

PUBLIC UTILITY COMMISSION OF
OREGON STAFF,

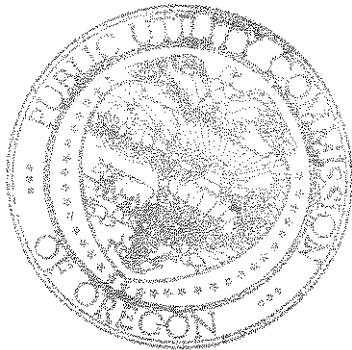
Request to approve Negotiated Interconnection
Agreements and Amendments Submitted
Pursuant to Section 252(e) of the
Telecommunications Act of 1996.

ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on September 25, 2012, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter, attached as Appendix A.

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: September 25, 2012**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: September 17, 2012

TO: Public Utility Commission

FROM: ^{mm}
Mitch Moore

THROUGH: ^{JE} Jason Eisdorfer, ^{BC} 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 agreement and the amendments to previously negotiated agreements listed below, with the agreement and 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).

ARB Agreements
September 17, 2012
Page 2

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 agreement and amendments submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 1012	Spectrotel Inc. and Frontier Communications Northwest Inc.
ARB 814(7)	Umpqua Telecom Services Corp. dba Rio Networks and Qwest Corporation dba CenturyLink QC
ARB 844(4)	XO Communications Services, Inc. and Qwest Corporation dba CenturyLink QC
ARB 832(2)	Bandwidth.com CLEC, LLC and Qwest Corporation dba CenturyLink QC
ARB 892(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Colton Telephone Company
ARB 732(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Canby Telephone Association
ARB 733(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Stayton Cooperative Telephone Company
ARB 736(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Monroe Telephone Company
ARB 781(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Beaver Creek Cooperative Telephone Company
ARB 746(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Molalla Telephone Company dba Molalla Communications
ARB 893(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Mount Angel Telephone Company
ARB 738(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and Pioneer Telephone Cooperative
ARB 737(1)	AT&T Wireless Services, Inc. dba AT&T Mobility and People's Telephone Company

Staff recommends approval of the agreement and the amendments. Staff finds that the agreement 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 agreement or the amendments.

PROPOSED COMMISSION MOTION:

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

ARB agreements 9-25-12.doc