

ORDER NO. 20-149

ENTERED May 05 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 527A(10), ARB 527B(8), ARB 1193, ARB 544(3) & (4), ARB 1179(1),
ARB 825(1), ARB 759(4), ARB 1007(1), ARB 1024(1), ARB 1070(1),
ARB 895(2), ARB 1019(2), ARB 791(1), ARB 1085(1), ARB 1157(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: STAFF'S RECOMMENDATION ADOPTED

At its Public Meeting on May 5, 2020, the Public Utility Commission of Oregon adopted Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.



BY THE COMMISSION:

A handwritten signature in blue ink, appearing to read "Nolan Moser".

Nolan Moser
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. CA9

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 5, 2020**

REGULAR _____ **CONSENT** X **EFFECTIVE DATE** _____ **N/A**

DATE: April 21, 2020

TO: Public Utility Commission

FROM: Stephen Hayes

THROUGH: Bryan Conway and Michael Dougherty **SIGNED**

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 amendments listed below, with the new and amended agreements to be considered legally enforceable on the date of Commission approval.

DISCUSSION:

47 U.S.C. Sections 252(a) and (e) require that any negotiated interconnection agreement, including amendments to an existing agreement, be submitted to a state commission for approval. Under 47 U.S.C. Section 252(e)(4), 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 47 U.S.C. Section 252(e)(2).

An interconnection agreement or amendment thereto is not legally enforceable until approved by a state commission. See 47 U.S.C. Sections 252(a) and (e). Accordingly, although the contracting parties may state in the agreement that each will abide by the

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agreement prior to its approval by the Commission, the legally enforceable date under 47 U.S.C. Section 252 of any submitted agreement or amendment is the date the Commission approves it.

Staff has reviewed the following new agreement and amendments organized by filing date and submitted for Commission approval:

Docket	Parties to the Agreement or Amendment
ARB 527B(8)	AT&T Corporation and Qwest Corporation dba CenturyLink
ARB 527A(10)	Teleport Communications, LLC and Qwest Corporation dba CenturyLink QC
ARB 1193	BullsEye Telecom, Inc. and Citizens Telecommunications Company of Oregon
ARB 544(3)	BullsEye Telecom, Inc. and Qwest Corporation dba CenturyLink QC
ARB 544 (4)	BullsEye Telecom, Inc. and Qwest Corporation dba CenturyLink QC
ARB 1179(1)	BullsEye Telecom, Inc. and CenturyTel of Eastern Oregon, Inc. and CenturyTel of Oregon, Inc. dba CenturyLink
ARB 825(1)	Bullseye Telecom, Inc. and United Telephone Company of the Northwest / Embarq dba CenturyLink
ARB 759(4)	Silver Star Telecom, LLC and Qwest Corporation dba CenturyLink QC
ARB 1007(1)	Spectrotel, Inc. and Qwest Corporation dba CenturyLink QC
ARB 1024(1)	Spectrotel, Inc. and United Telephone Company of the Northwest dba CenturyLink
ARB 1070(1)	Spectrotel, Inc. and CenturyTel of Eastern Oregon, Inc. and CenturyTel of Oregon, Inc. dba CenturyLink
ARB 895(2)	Astound Broadband, LLC and Qwest Corporation dba CenturyLink QC
ARB 1019(2)	Ednetics, Inc. and Qwest Corporation dba CenturyLink
ARB 791(1)	Charter Fiberlink OR – CCVII, LLC dba Charter Communications and Qwest Corporation dba CenturyLink QC
ARB 1085(1)	Global Grid Telecom, Inc. and Qwest Corporation dba CenturyLink QC
ARB 1157(3)	Airus, Inc. and Qwest Corporation dba CenturyLink QC

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Staff recommends approval of the agreement and amendments. Staff finds that the new and amended agreements 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 to agreements.

PROPOSED COMMISSION MOTION:

Approve the new negotiated interconnection agreement and amendments listed above.