

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 443(17), ARB 510(7), ARB 519(8)(9), ARB 655(5)(6), ARB 665(13), ARB 775(3),
ARB 795(3), ARB 873(1)(2), ARB 879(1)(2), ARB 976(2)(3), ARB 1066(1),
ARB 1097(1)(2), ARB 1157(5), ARB 1175(1), ARB 1213(1), ARB 1214(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 May 30, 2023, 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.

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: May 30, 2023**

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

DATE: May 22, 2023

TO: Public Utility Commission

FROM: Bret Farrell

THROUGH: Caroline Moore and Scott Gibbens **SIGNED**

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF:
Request to approve Negotiated Interconnection Agreement/Amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996.

STAFF RECOMMENDATION:

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:

Issue

Whether the Commission should approve the new negotiated interconnection agreement and amendments.

Applicable Law

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 before it may become legally enforceable.

OAR 860-016-0020 governs Commission review of interconnection agreements and amendments. Specifically:

- (3) After the parties reach agreement under Section 252(a) of the Act,

they must file an application with the Commission seeking approval of the agreement, or for approval of an amendment to an approved agreement on file with the Commission. The application must include the negotiated agreement and a completed Carrier-to-Carrier Agreement Checklist. A copy of the checklist is available on the Commission's website. The parties may also include any other supporting information with their application. The application and checklist must be filed electronically as required in OAR 860-001-0170.

(4) The Commission will approve or reject the agreement within 90 days of filing, with written findings as to any deficiencies. Prior to rejecting the agreement, the Commission will notify the negotiating parties of its intended action and provide an opportunity for the carriers to respond. The grounds for rejection are that the agreement:

(a) Discriminates against a carrier not a party to the agreement; or

(b) Is not consistent with the public interest, convenience, and necessity. Applicable Commission policies will be a factor in public interest, convenience, and necessity determinations.

Analysis

As noted above, 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, Staff notes that 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 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 795(3)	Axxis Communications, Inc. and Qwest Corporation dba CenturyLink QC
ARB 519(8)	ACN Communication Services, Inc. and Qwest Corporation dba CenturyLink QC
ARB 519(9)	ACN Communication Services, Inc. and Qwest Corporation dba CenturyLink QC
ARB 1175(1)	Level 3 Communications, LLC and Qwest Corporation dba CenturyLink QC
ARB 976(2)	dishNET Wireline, LLC (fka liberty-bell Telecom,

ARB 976(3) LLC) and Qwest Corporation dba CenturyLink QC
dishNET Wireline, LLC (fka liberty-bell Telecom,
LLC) and Qwest Corporation dba CenturyLink QC

ARB 775(3) Electric Lightwave LLC dba Allstream (fka
Eschelon Telecom of Oregon, Inc.) and Qwest
Corporation dba CenturyLink QC

ARB 443(17) Electric Lightwave LLC dba Allstream (fka Electric
Lightwave, Inc.) and Qwest Corporation dba
CenturyLink QC

ARB 1066(1) Electric Lightwave LLC dba Allstream (fka United
Communications, Inc.) and Qwest Corporation dba
CenturyLink QC

ARB 510(7) Electric Lightwave LLC dba Allstream (fka World
Communications, Inc.) and Qwest Corporation dba
CenturyLink QC

ARB 665(13) Level 3 Communications, LLC and Qwest
Corporation dba CenturyLink QC

ARB 1213(1) DISH Wireless, LLC and CenturyTel of Eastern
Oregon, Inc. dba CenturyLink; CenturyTel of
Oregon, Inc. dba CenturyLink

ARB 879(1) BCM One, Inc. and Qwest Corporation dba
CenturyLink QC

ARB 879(2) BCM One, Inc. and Qwest Corporation dba
CenturyLink QC

ARB 655(5) Metropolitan Telecommunications of Oregon Inc.
and Qwest Corporation dba CenturyLink QC

ARB 655(6) Metropolitan Telecommunications of Oregon Inc.
and Qwest Corporation dba CenturyLink QC

ARB 1097(1) Pacific Wave Communications (fka Pacific Wave
Communications, LLC) and Qwest Corporation
dba CenturyLink QC

ARB 1097(2) Pacific Wave Communications (fka Pacific Wave
Communications, LLC) and Qwest Corporation
dba CenturyLink QC

ARB 1214(1) DISH Wireless, LLC and United Telephone
Company of the Northwest dba CenturyLink

ARB 873(1) CenturyLink Communications LLC (fka CenturyTel
Solutions LLC) and Qwest Corporation dba
CenturyLink QC

ARB 873(2) CenturyLink Communications LLC (fka CenturyTel
Solutions LLC) and Qwest Corporation dba
CenturyLink QC

ARB 1157(5) 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 agreement does not discriminate against non-party telecommunications carriers and does 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.

PROPOSED COMMISSION MOTION:

Approve the new negotiated interconnection agreement and amendments listed above.