

ORDER NO. 99-618

ENTERED OCT 06 1999

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 162

In the Matter of the Interconnection and Resale)
Agreement between Alpha-Beta CLEC, Inc., and)
U S WEST Communications, Inc., Adopting the)
Terms of the ARB 6 Agreement, Submitted for)
Commission Approval Pursuant to the)
Telecommunications Act of 1996.)

ORDER

DISPOSITION: AGREEMENT APPROVED

On September 30, 1999, Alpha-Beta CLEC, Inc., and U S WEST Communications, Inc., (USWC) filed with the Commission an Interconnection Agreement. According to the Agreement, Alpha-Beta CLEC, Inc., and USWC agree to adopt the terms of the arbitrated agreement between MCImetro Access Transmission Services, Inc., and USWC that was approved by the Commission in docket ARB 6. (See Order No. 97-341.) USWC agrees to enter into this arrangement pursuant to Section 252(i) of the Telecommunications Act of 1996.

Under Section 252(e) of the Act, the Commission must approve or reject an agreement reached through voluntary negotiation within 90 days of filing. The Commission may reject an agreement only if it finds that:

- (1) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (2) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity.

The agreement which Alpha-Beta CLEC, Inc., and USWC wish to adopt does not appear to discriminate against telecommunications carriers who were not parties to the agreement and does not appear to be inconsistent with the public interest, convenience, and necessity. The Commission notes that Alpha-Beta CLEC, Inc., does not have a certificate of authority issued by this Commission to provide intrastate telecommunications services.

OPINION

We conclude that there is no basis under the Act to reject the agreement and that the agreement should be approved.

CONCLUSIONS

1. The agreement adopts the terms and conditions of the agreement previously approved in ARB 6.
2. The agreement should be approved.

ORDER

IT IS ORDERED that:

1. The agreement between Alpha-Beta CLEC, Inc., and US WEST Communications, Inc., adopting the terms of the previously approved agreement in docket ARB 6, is approved.
2. Alpha-Beta CLEC, Inc., must obtain a certificate of authority from this Public Utility Commission before it provides intrastate telecommunications services.

Made, entered, and effective _____.

Ron Eachus
Chairman

Roger Hamilton
Commissioner

Joan H. Smith
Commissioner

A party may request rehearing or reconsideration of this order pursuant to 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 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.

