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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 165

In the Matter of the Letters of Adoption of)
Interconnection and Resale Agreement between)
MCImetro Access Transmission Services, LLC and)
GTE Northwest Incorporated, Adopting the Terms of)
the ARB 5 Agreement, Submitted for Commission)
Approval Pursuant to the Telecommunications Act of)
1996.)

ORDER

DISPOSITION: AGREEMENT APPROVED

On October 8, 1998, MCImetro Access Transmission Services, LLC (MCIIm) and GTE Northwest Incorporated (GTE) filed with the Commission Interconnection Agreement Letters of Adoption. According to the Letters of Adoption, MCIIm and GTE agree to adopt the terms of the arbitrated agreement between AT&T Communications of the Pacific Northwest, Inc., and GTE that was approved by the Commission in docket ARB 5. (*See* Order No. 99-028.)

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.

In docket ARB 5, the Commission concluded that the agreement which MCIIm and GTE wish to adopt comports with the requirements of the Act, the Federal Communications Commission rules where applicable, and relevant state law. The Commission further concluded that the agreement approved in ARB 5 does not violate Section 252(e).

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 Letters of Adoption adopt the terms and conditions of the agreement previously approved in ARB 5.
2. The letters should be approved.

ORDER

IT IS ORDERED that the letters of adoption of interconnection agreement between MCImetro Access Transmission Services, LLC and GTE Northwest Incorporated, adopting the terms of the previously approved agreement in ARB 5, are approved.

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.