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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 168

In the Matter of the Interconnection and Resale)
Agreement between Tel West Communications, 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 15, 1999, Tel West Communications, LLC., and GTE Northwest Incorporated filed with the Commission an Interconnection Agreement Letter of Adoption. According to the Letter of Adoption, Tel West Communications, LLC., and GTE Northwest Incorporated agree to adopt the terms of the arbitrated agreement between GTE Northwest and AT&T of the Pacific Northwest that was approved by the Commission in docket ARB 5. (See Order No. 99-02.) The parties seek approval of the agreement under 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.

In docket ARB 5, the Commission concluded that the agreement which Tel West Communications, LLC., and GTE Northwest Incorporated 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 agreement adopts the terms and conditions of the agreement previously approved in ARB 5.
2. The agreement should be approved.

ORDER

IT IS ORDERED that the agreement between Tel West Communications, LLC., and GTE Northwest Incorporated adopting the terms of the previously approved agreement in ARB 5, is 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.