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**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

ARB 211(1)

In the Matter of the First Amendment to the	)	
Interconnection Agreement between NETWORK	)	
ACCESS SOLUTIONS CORPORATION and	)	ORDER
U S WEST COMMUNICATIONS, INC.,	)	
Submitted for Commission Approval Pursuant	)	
to Section 252(e) of the Telecommunications Act of	)	
1996.	)	

**DISPOSITION: AMENDMENT APPROVED**

In a letter dated March 28, 2000, the Public Utility Commission of Oregon (Commission) acknowledged the adoption between Network Access Solutions Corporation and U S WEST Communications, Inc., of the terms of the ARB 96 interconnection agreement. On April 12, 2000, the parties filed a supplemental agreement addressing collocation. The parties seek approval of the amendment under Section 252(e)(2) of the Telecommunications Act of 1996 (Act).

Under 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 Commission provided notice of the request for approval and an opportunity to comment to a list of persons who have participated in arbitrations under the Act. Comments were filed by the PUC Staff.

Staff concluded that the amendment does not appear to discriminate against telecommunications carriers who are not parties to the agreement and does not appear to be inconsistent with the public interest, convenience, and necessity.

### **OPINION**

The Commission has reviewed the amendment to the previously approved agreement and the comments. We conclude that there is no basis under the Act to reject the amendment. No participant in the proceeding has requested that the amendment be rejected or has presented any reason for rejection. We conclude that the amendment should be approved.

### **CONCLUSIONS**

1. There is no basis for finding that the amendment to the previously approved agreement discriminates against any telecommunications carrier not a party to the agreement.
2. There is no basis for finding that implementation of the amended agreement is not consistent with the public interest, convenience, and necessity.
3. The amendment should be approved.

### **ORDER**

IT IS ORDERED that the amendment to the previously approved agreement between Network Access Solutions Corporation and U S WEST Communications, Inc., is approved.

Made, entered, and effective \_\_\_\_\_.

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**William G. Warren**  
Director  
Utility Program

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.