

ENTERED APR 26 2001

This is an electronic copy. Attachments may not appear.

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

ARB 101(2), ARB 101(3), ARB 101(4), and ARB 101(5)

In the Matter of the Amendments (No. 2, No. 5,)	
No. 6, and No. 8) ¹ to the Interconnection)	
Agreement Between ADVANCED TELCOM,)	
INC., dba ADVANCED TELCOM GROUP, and)	ORDER
QWEST CORPORATION, Submitted for)	
Commission Approval Pursuant to Section 252(e))	
of the Telecommunications Act of 1996.)	

DISPOSITION: AMENDMENTS APPROVED

On February 20, 2001, Advanced Telcom, Inc., dba Advanced Telcom Group (ATG), and Qwest Corporation, formerly known as U S WEST Communications, Inc. (Qwest), filed four amendments to the interconnection agreements previously approved by the Public Utility Commission of Oregon (Commission) with Order Nos. 98-485 and 00-724, issued November 20, 1998, and November 13, 2000, respectively. The parties seek approval of these amendments under Section 252(e) of the Telecommunications Act of 1996.

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.

¹ To date, amendments No. 3, No. 4, and No. 7 have not been filed with the Commission. Therefore, as these current amendments, referred to by the parties as No. 2, No. 5, No. 6, and No. 8, represent the second, third, fourth, and fifth actual amendments filed with the Commission, we have been tracking them as ARB 101(2), ARB 101(3), ARB 101(4), and ARB 101(5).

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. The Commission Staff filed comments.

Staff concluded that the amendments to the previously filed agreement do 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 amendments to the previously approved agreement and the comments. No participant in the proceeding has requested that the amendments be rejected or has presented any reason for rejection. The Commission concludes that there is no basis under the Act to reject the amendments and that the amendments should be approved.

CONCLUSIONS

1. There is no basis for finding that the amendments 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 amendments should be approved.

ORDER

IT IS ORDERED that the amendments to the previously approved agreement between Advanced Telcom Inc., dba Advanced Telcom Group, and Qwest Corporation, are approved.

Made, entered, and effective _____.

Phil Nyegaard
Acting 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.