

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 101(26), ARB 219(28), ARB 443(13), ARB 458(1),
ARB 477(11), ARB 483(14), ARB 526(7), ARB 775(1), ARB 939

In the Matter of

PUBLIC UTILITY COMMISSION OF OREGON
STAFF,

ORDER

Request to approve Negotiated Interconnection
Agreements and Amendments Submitted Pursuant to
Section 252(e) of the Telecommunications Act of 1996.

DISPOSITION: AGREEMENTS AND AMENDMENTS APPROVED

The Public Utility Commission of Oregon (Commission) Staff recommended approval of certain negotiated interconnection agreements and amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996 (Act). The identification of the agreement(s) and amendment(s) and the basis for Staff's recommendation are set forth in a Public Meeting Report, which is attached as Appendix A and incorporated by reference.

At the February 23, 2010, Public Meeting, the Commission adopted Staff's recommendation and approved the identified agreement(s) and amendment(s). The Commission Staff concluded that there is no basis under the Act to reject the agreement(s) and amendment(s). Accordingly, the agreement(s) and amendment(s) listed in Staff's report are approved, effective from the date of the public meeting.

ORDER

IT IS ORDERED that the agreement(s) and amendment(s) identified in Appendix A are approved.

Made, entered, and effective FEB 25 2010



A handwritten signature in cursive script, appearing to read "Michael Grant".

Michael Grant
Chief Administrative Law Judge
Administrative Hearings Division

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.

ITEM NO. CA7

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: February 23, 2010**

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: February 11, 2010

TO: Public Utility Commission

FROM: Celeste Hari *CH*

THROUGH: Lee Sparling *LS*, Bryan Conway *BC*, Kay Marinos *KM* and Shelley Jones *SJ*

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: Request to approve Negotiated Interconnection Agreements and Amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996.

STAFF RECOMMENDATION:

Staff recommends the Commission approve the new negotiated interconnection agreement and the amendments to previously approved agreements listed below.

DISCUSSION:

Section 252(e) of the Telecommunications Act of 1996 (Act) requires that any negotiated interconnection agreement, including amendments to an existing agreement, be submitted to a state commission for approval. Under the Act, the Commission must approve or reject such agreements within 90 days of filing. The Commission may reject an agreement only if it finds that:

- (i) the agreement, or portion thereof, discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement, or portion thereof, is not consistent with the public interest, convenience, and necessity. See Section 252(e)(2).

An interconnection agreement or amendment thereto has no effect or force until approved by a state commission. See 47 U.S.C. Sections 252 (a) and (e). Accordingly, the effective date of any submitted agreement or amendment will be the date the

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Commission approves it, and any provision stating that the parties' agreement or amendment is effective prior to that date is not enforceable.

Staff has reviewed the following negotiated interconnection agreements submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 101(26)	Advanced Telecom Group, Inc. and Qwest Corporation
ARB 219(28)	Integra Telecom of Oregon, Inc. and Qwest Corporation
ARB 443(13)	Electric Lightwave, LLC and Qwest Corporation
ARB 458(1)	Sprint Spectrum L.P. and Qwest Corporation
ARB 477(11)	Oregon Telecom, Inc. and Qwest Corporation
ARB 483(14)	United Communications, Inc. dba Unicom and Qwest Corporation
ARB 526(7)	Sprint Communications Company L.P. and Qwest Corporation
ARB 775(1)	Eschelon Telecom of Oregon, Inc. and Qwest Corporation
ARB 939	WindWave Technologies, Inc. dba WindWave Communications and United Telephone Company of the Northwest dba CenturyLink.

Staff recommends approval of the agreement and amendments. Staff finds that the agreement and amendments do not discriminate against non-party telecommunications carriers and do not appear to be inconsistent with the public interest, convenience, and necessity. Accordingly, Staff concludes that there is no basis under the Act to reject the agreement or the amendments.

PROPOSED COMMISSION MOTION:

The new negotiated interconnection agreement and the amendments to previously approved interconnection agreements listed above be approved.

ARB agreements Feb. 23, 2010.doc