

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

ARB 977, ARB 772(8)

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

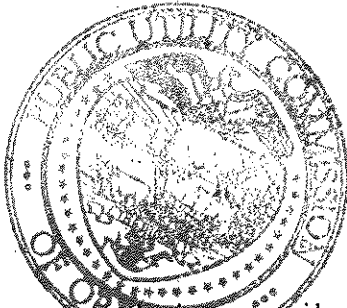
The Public Utility Commission of Oregon (Commission) Staff recommended approval of certain negotiated interconnection agreements and amendments submitted pursuant to Section 252(e) of the Telecommunications Act of 1996 (Act). The identification of the agreement(s) and amendment(s) and the basis for Staff's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

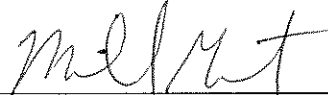
At the October 12, 2010 Public Meeting, the Commission adopted Staff's recommendation and approved the identified agreement(s) and amendment(s). The Commission Staff concluded that there is no basis under the Act to reject the agreement(s) and amendment(s). Accordingly, the agreement(s) and amendment(s) 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 OCT 13 2010.





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. CA6

PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: October 12, 2010

REGULAR _____ CONSENT X EFFECTIVE DATE _____ N/A _____

DATE: September 30, 2010

TO: Public Utility Commission

FROM: Celeste, Hari *CH*
lu *BAC* *KM* *MM*

THROUGH: Lee Sparling, Bryan Conway, Kay Marinos, and Mitch Moore

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 amendment to the previously approved agreement 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

ARB Agreements
September 30, 2010
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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 agreement and amendment submitted for Commission approval:

| Docket | Parties to the Amendment or Agreement |
|---------------|---|
| ARB 977 | Eltopia Communications, LLC and CenturyTel of Eastern Oregon, Inc. dba CenturyLink and CenturyTel of Oregon, Inc. dba CenturyLink |
| ARB 772(8) | MCImetro Access Transmission Services, LLC and Qwest Corporation |

Staff recommends approval of the agreement and amendment. Staff finds that the agreement and amendment 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 amendment.

PROPOSED COMMISSION MOTION:

The new negotiated interconnection agreement and the amendment to a previously approved agreement listed above be approved.

ARB Agreements Oct. 12, 2010