

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: November 3, 2009**

REGULAR \_\_\_\_\_ CONSENT  X  EFFECTIVE DATE \_\_\_\_\_

**DATE:** October 26, 2009

**TO:** Public Utility Commission

**FROM:** Celeste Hari

**THROUGH:** Lee Sparling, Bryan Conway, Kay Marinos and Shelley Jones

**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 agreements and amendments to previously approved interconnection 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 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 new negotiated interconnection agreements and amendments to previously approved agreements submitted for Commission approval:

<b>Docket</b>	<b>Parties to the Amendment or Agreement</b>
ARB 527A(7)	TCG Oregon and Qwest Corporation
ARB 527B(6)	AT&T Communications of the Pacific Northwest, Inc. and Qwest Corporation
ARB 932	New Horizons Communications Corp and Verizon Northwest Inc.
ARB 933	BLC Management LLC dba Angles Com Solutions and Verizon Northwest Inc.

Staff recommends approval of the interconnection agreements and amendments. Staff finds that the agreements 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 agreements or amendments.

**PROPOSED COMMISSION MOTION:**

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