

**PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: May 22, 2007**

REGULAR  CONSENT  EFFECTIVE DATE \_\_\_\_\_ N/A \_\_\_\_\_

**DATE:** May 14, 2007

**TO:** Public Utility Commission

**FROM:** Celeste Hari

**THROUGH:** Lee Sparling, Dave Booth, and Kay Marinos

**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 negotiated interconnection agreements and amendments 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 will be the date the Commission signs an

order approving it, and any provision stating that the parties' agreement is effective prior to that date is not enforceable.

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

| <b>Docket</b> | <b>Parties to the Agreement</b>                                           |
|---------------|---------------------------------------------------------------------------|
| ARB 101(23)   | Advanced Telcom, Inc. and Qwest Corporation                               |
| ARB 488(2)    | Eugene Water & Electric Board (EWEB)/City of Eugene and Qwest Corporation |
| ARB 444(6)    | PriorityOne Telecommunications, Inc. and Qwest Corporation                |

Staff recommends approval of these agreements. Staff finds that the agreements neither discriminate against non-party telecommunications carriers nor 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.

**PROPOSED COMMISSION MOTION:**

The negotiated interconnection agreements and amendments listed above be approved.