

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: December 18, 2007**

REGULAR CONSENT EFFECTIVE DATE _____ N/A _____

DATE: December 10, 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 agreement and amendments to previously approved negotiated 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 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 agreement and amendments submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 447(1)	Meritel Group, Inc. and Qwest Corporation
ARB 628(4)	Cal-Ore Communications, Inc. (fka Cal-Ore Telephone) and Qwest Corporation
ARB 819	Telrite Corporation and Qwest Corporation

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 and amendments.

PROPOSED COMMISSION MOTION:

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