

**PUBLIC UTILITY COMMISSION OF OREGON
STAFF REPORT
PUBLIC MEETING DATE: July 29, 2008**

REGULAR CONSENT EFFECTIVE DATE _____ N/A _____

DATE: July 14, 2008

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 agreements and amendments to the previously 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 agreements and amendments submitted for Commission approval:

Docket	Parties to the Amendment or Agreement
ARB 517(4) ARB 789	Wiltel Local Network, LLC and Qwest Corporation Clear Creek Mutual Telephone Company and Beaver Creek Cooperative Telephone Company
ARB 803(1)	Prime Time Ventures, LLC d/b/a Infostructure.net and United Telephone Company of the Northwest d/b/a Embarq
ARB 816(1) ARB 817(1) ARB 845	360Networks (USA) Inc. and CenturyTel of Oregon, Inc. 360Networks (USA) Inc. and CenturyTel of Eastern Oregon, Inc. PNG Telecommunications, Inc. d/b/a PowerNet Global and Verizon Northwest Inc.
ARB 845(1)	PNG Telecommunications, Inc. d/b/a PowerNet Global and Verizon Northwest Inc.
ARB 846 ARB 847	Bullseye Telecom, Inc. and Verizon Northwest Inc. Gorge Ventures, Inc. and United Telephone Company of the Northwest d/b/a Embarq

Staff recommends approval of the 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 the amendments.

PROPOSED COMMISSION MOTION:

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