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OPEN MEETING ITEM

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ORIGINAL

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MEMORANDUM

Arizona Corporation Commission

DOCKETED

MAR 13 2001

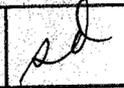
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CORP COMMISSION DOCUMENT CONTROL

TO: THE COMMISSION

FROM: Utilities Division

DATE: March 12, 2001

DOCKETED BY	
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RE: IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION F/K/A/ U S WEST COMMUNICATIONS, INC., FOR APPROVAL OF THE FOURTH AMENDMENT TO THE WIRELINE INTERCONNECTION AGREEMENT WITH DSLNET COMMUNICATIONS, L.L.C. (DOCKET NOS. T-01051B-01-0137 AND T-03727A-01-0137)

On February 16, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST Communications, Inc., filed an application for approval of the Fourth Amendment to the Interconnection Agreement between Qwest and DSLnet Communications L.L.C. ("DSLnet"). The original Interconnection Agreement was approved by the Commission on October 8, 1999, in Decision No. 61981.

The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation. This Fourth Amendment to the Interconnection Agreement between Qwest and DSLnet was voluntarily negotiated, without resort to arbitration.

Under the terms of this Fourth Amendment, terms and conditions for Unbundled Loops are modified to allow DSLnet additional Unbundled Loop options.

According to the 1996 Act, the Commission must approve voluntarily negotiated interconnection and resale agreements, if their provisions are non-discriminatory and in the public interest. Staff has reviewed the Fourth Amendment and finds it to be non-discriminatory and in the public interest. Qwest is offering the same terms and conditions of the Agreement to all other interested parties. The Agreement is in the public interest because it will act to further competition in the local exchange market in Arizona.

THE COMMISSION

March 12, 2001

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Since there are no grounds for rejection of the Fourth Amendment pursuant to Section 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the Fourth Amendment to the Interconnection Agreement between Qwest and DSLnet.



Deborah R. Scott

Director

Utilities Division

DRS:EAA:lh\MAS

ORIGINATOR: Erinn Andreasen

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL
Chairman
3 JIM IRVIN
Commissioner
4 MARC SPITZER
Commissioner
5

6 IN THE MATTER OF THE APPLICATION) DOCKET NOS. T-01051B-01-0137
OF QWEST CORPORATION F/K/A U S WEST) T-03727A-01-0137
7 COMMUNICATIONS, INC., FOR APPROVAL)
OF THE FOURTH AMENDMENT TO THE) DECISION NO. _____
8 WIRELINE INTERCONNECTION)
AGREEMENT WITH DSLNET)
9 COMMUNICATIONS L.L.C.) ORDER

10 Open Meeting
March 27 and 28, 2001
11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On February 16, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST
15 Communications, Inc., filed an application for approval of the Fourth Amendment to the
16 Interconnection Agreement between Qwest and DSLnet Communications L.L.C. ("DSLnet"). The
17 original Interconnection Agreement was approved by the Commission on October 8, 1999, in
18 Decision No. 61981.

19 2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local
20 exchange carriers to make their networks available for interconnection and resale by new entrants
21 to the local exchange market. The 1996 Act provides for interconnection and resale agreements to
22 be concluded by voluntary negotiation.

23 3. This Fourth Amendment to the Interconnection Agreement between Qwest and
24 DSLnet was voluntarily negotiated, without resort to arbitration.

25 4. Under the terms of this Fourth Amendment, terms and conditions for Unbundled
26 Loops are modified to allow DSLnet additional Unbundled Loop options.

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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Fourth Amendment to the Interconnection Agreement between Qwest and DSLnet filed on February 16, 2001.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this ____ day of _____, 2001.

BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DRS:EAA:lhbm

1 SERVICE LIST FOR: Qwest Corporation and DSLnet Communications, L.L.C
2 DOCKET NOS. T-01051B-01-00137 and T-03727A-01-0137

3 Ms. Theresa Dwyer
4 Fennemore Craig
5 3003 North Central Avenue, Suite 2600
6 Phoenix, Arizona 85012

7 Ms. Wendy Blueming
8 Director, Regulatory Affairs
9 DSLnet Communications, L.L.C
10 545 Long Wharf Drive, 5th Floor
11 New Haven, Connecticut 06511

12 Mr. Timothy Berg
13 Fennemore Craig
14 3003 North Central Avenue, Suite 2600
15 Phoenix, Arizona 85012

16 Mr. Christopher Kempley
17 Chief Counsel
18 Arizona Corporation Commission
19 1200 West Washington
20 Phoenix, Arizona 85007

21 Ms. Deborah Scott
22 Director, Utilities Division
23 Arizona Corporation Commission
24 1200 West Washington
25 Phoenix, Arizona 85007

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27
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