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NEW APPLICATION

LAW OFFICES

**FENNEMORE CRAIG** RECEIVED  
A PROFESSIONAL CORPORATION

ORIGINAL

**DARCY RENFRO**

Direct Phone: (602) 916-5345  
Direct Fax: (602) 916-5545  
drenfro@fclaw.com

OFFICES IN:  
PHOENIX, TUCSON AND NOGALES  
3003 NORTH CENTRAL AVENUE  
SUITE 2600  
PHOENIX, ARIZONA 85012-2913  
PHONE (602) 916-5000  
FAX (602) 916-5999

DOCKET NO. T-01051B-01-0136

DOCKET NO. T-03754A-01-0136

February 14, 2001

**BY HAND DELIVERY**

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

RECEIVED  
2001 FEB 16 P 1:14  
AZ CORP COMMISSION  
DOCUMENT CONTROL

Re: In the Matter of the Application of Qwest Corporation for Approval of the Fifth Amendment to the Interconnection Agreement with TESS Communications, Inc.

Dear Madam or Sir:

Please find enclosed an original and ten (10) copies of the Fifth Amendment to Interconnection Agreement between Qwest Corporation ("Qwest") and TESS Communications, Inc. ("TESS").

The Amendment is made in order to add the terms and conditions for Composite Clock/Central Office Synchronization as set forth in Attachment 1 to the Amendment. The Arizona Corporation Commission approved the underlying Agreement between Qwest and TESS on October 8, 1999 in Docket Nos. T-01051B-99-0447 and T-03754A-99-0447, Decision No. 61983. Enclosed is a service list for these dockets.

Please contact me at (602) 916-5345 if you have any questions concerning the enclosed. Thank you for your assistance in this matter.

Sincerely,

FENNEMORE CRAIG

*Darcy Renfro*  
Darcy Renfro

Enclosures

# FENNEMORE CRAIG

Docket Control  
February 14, 2001  
Page 2

cc: Klayton Fennell, TESS Communications, Inc.  
Deborah Scott, Director, ACC Utilities Division  
Chris Kempley, Chief Counsel, ACC Legal Division

PHX/DRENFRO/1155203.1/67817.179

**Amendment No. 5 to the Interconnection Agreement  
between  
TESS Communications, Inc.  
and  
U S WEST Communications, Inc.  
for the State of Arizona**

This Amendment No. 5 ("Amendment") is made and entered into by and between TESS Communications, Inc. ("TESS") and U S WEST Communications, Inc. ("U S WEST").

**RECITALS**

WHEREAS, TESS and U S WEST entered into a Local Interconnection Agreement for service in the state of Arizona that was approved by the Arizona Corporation Commission on October 08, 1999 (the "Agreement"); and

WHEREAS, TESS and U S WEST desire to amend the Agreement by adding the terms, conditions and rates contained herein.

**AGREEMENT**

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

**1. Amendment Terms.**

This Amendment is made in order to add the terms, conditions and rates for Composite Clock/Central Office Synchronization as set forth in Attachment 1 attached hereto and incorporated herein.

**2. Effective Date.**

This Amendment shall be deemed effective upon approval by the appropriate state Commission; however, the Parties may agree to implement the provisions of this Amendment upon execution. To accommodate this need, TESS must generate, if necessary, an updated Customer Questionnaire. In addition to the Questionnaire, all system updates will need to be completed by U S WEST. TESS will be notified when all system changes have been made. Actual order processing may begin once these requirements have been met.

**3. Further Amendments.**

Except as modified herein, the provisions of the Agreement shall remain in full force and effect. Neither the Agreement nor this Amendment may be further amended or altered except by written instrument executed by an authorized representative of both Parties.

The Parties intending to be legally bound have executed this Amendment as of the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

**TESS Communications, Inc.**

James E Cook  
Authorized Signature

JAMES E COOK  
Name Printed/Typed

COO  
Title

10/25/00  
Date

**U S WEST Communications, Inc.**

Dennis Pappas  
Authorized Signature

DENNIS PAPPAS  
Name Printed/Typed

GM. WEDM  
Title

11/10/00  
Date

**ATTACHMENT 1**  
**Composite Clock/Central Office Synchronization**

**Composite Clock/Central Office Synchronization.**

Recovers the cost of providing composite clock and/or DS1 synchronization signals traceable to a stratum one source. TESS must determine the synchronization requirements for TESS's equipment and notify U S WEST of these requirements when ordering the clock signals. Central Office Synchronization is required for Virtual Collocation involving digital services or connections. Synchronization may be required for analog services. Central Office Synchronization is available where U S WEST Wire Centers are equipped with Building Integrated Timing Supply (BITS). The rate is applied on a per port basis as set forth below.

**ARIZONA RATES**  
**Composite Clock/Central Office Synchronization**

			<b>Recurring</b>	<b>Nonrecurring</b>
<b>Central Office Clock Synchronization</b>				
Synchronization – Composite Clock, per Port			\$8.32	

1 SERVICE LIST FOR: Qwest Corporation  
Docket No. T-01051B-99-0447 and T-03754A-99-0447

2 Mr. Timothy Berg  
3 Fennemore Craig  
3003 N. Central Avenue, Suite 2600  
4 Phoenix, Arizona 85012

5 Mr. Klayton Fennell  
TESS Communications, Inc.  
6 12050 North Pecos St., #200  
Westminister, Colorado 80234

7 Mr. Christopher C. Kempley  
8 Chief Counsel  
Arizona Corporation Commission  
9 1200 West Washington  
Phoenix, Arizona 85007

10 Ms. Deborah R. Scott  
11 Director, Utilities Division  
Arizona Corporation Commission  
12 1200 West Washington  
Phoenix, Arizona 85007

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