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THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

MAR 30 2001

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

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6 IN THE MATTER OF THE APPLICATION ) DOCKET NOS. T-01051B-01-0139  
OF QWEST CORPORATION F/K/A U S WEST ) T-03581A-01-0139  
7 COMMUNICATIONS, INC., FOR APPROVAL )  
OF THE FIRST AMENDMENT TO THE ) DECISION NO. 63493  
8 INTERCONNECTION AGREEMENT WITH )  
9 COMPASS TELECOMMUNICATIONS, INC. ) 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 First Amendment to the  
16 Interconnection Agreement between Qwest and Compass Telecommunications, Inc. ("Compass").  
17 The original Interconnection Agreement was approved by the Commission on November 23, 1998,  
18 in Decision No. 61251.

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 First Amendment to the Interconnection Agreement between Qwest and  
24 Compass was voluntarily negotiated, without resort to arbitration.

25 4. Under the terms of this First Amendment, the Line Sharing Interim Agreement is  
26 replaced with new terms, conditions and rates as set forth in this Amendment.

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1 5. According to the 1996 Act, the Commission must approve voluntarily negotiated  
2 interconnection and resale agreements, if their provisions are non-discriminatory and in the public  
3 interest.

4 6. Staff has reviewed the First Amendment and finds it to be non-discriminatory and  
5 in the public interest. Qwest is offering the same terms and conditions of the Agreement to all  
6 other interested parties. The Agreement is in the public interest because it will act to further  
7 competition in the local exchange market in Arizona.

8 7. Since there are no grounds for rejection of the First Amendment pursuant to Section  
9 252(e)(2)(A), of the 1996 Act, Staff has recommended that the Commission approve the First  
10 Amendment to the Interconnection Agreement between Qwest and Compass.

11 CONCLUSIONS OF LAW

12 1. Qwest is an Arizona public service corporation within the meaning of Article XV,  
13 Section 2, of the Arizona Constitution.

14 2. The Commission has jurisdiction over Compass and over the subject matter of the  
15 Application.

16 3. The Commission, having reviewed the Application and Staff's Memorandum has  
17 determined that the First Amendment to the Interconnection Agreement negotiated between  
18 Qwest and Compass meets the requirements of Section 252(e)(2)(A), of the 1996 Act, which  
19 governs the approval of voluntarily-negotiated agreements and is in the public interest.

20 4. The Commission maintains jurisdiction over the subject matter of the Agreement and  
21 Amendments thereof, to the extent permitted pursuant to the powers granted the Commission by  
22 the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules  
23 promulgated thereunder.

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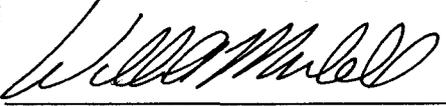
ORDER

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

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

**BY ORDER OF THE ARIZONA CORPORATION COMMISSION**



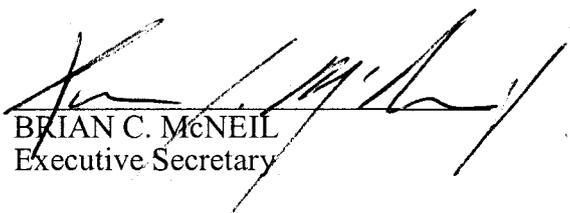
CHAIRMAN



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 30<sup>th</sup> day of March, 2001.

  
BRIAN C. McNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DRS:EAA:jbc/MAS

SERVICE LIST FOR: Qwest Corporation and Compass Telecommunications, Inc.  
DOCKET NOS. T-01051B-01-00139 and T-03581A-01-0139

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