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BEFORE THE ARIZONA CORPORATION COMMISSION
DOCKETED

1
2 WILLIAM A. MUNDELL
Chairman
3 JIM IRVIN
Commissioner
4 MARC SPITZER
Commissioner
5

MAR 30 2001

DOCKETED BY sd

6 IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION F/K/A U S WEST)
7 COMMUNICATIONS, INC., FOR APPROVAL)
OF A RESALE AGREEMENT WITH)
8 PREFERRED CARRIER SERVICES, INC.)

DOCKET NOS. T-01051B-01-0144
T-03248A-01-0144

DECISION NO. 63497

ORDER

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

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On February 20, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST
15 Communications, Inc., filed an application for approval of a Resale Agreement between Qwest,
16 and Preferred Carrier Services, Inc. ("PCS"). The term of the Agreement shall be effective upon
17 Commission approval and remain in effect until February 6, 2002. Upon expiration, the
18 agreement shall remain in force and effect until terminated by either party on one hundred sixty
19 (160) days written notice. The Agreement governs the terms and conditions under which Qwest
20 will offer interconnection to PCS.

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

25 3. This Agreement between Qwest and PCS was voluntarily negotiated, without resort
26 to arbitration.

27 4. Under the terms of the Agreement, Qwest will provide specified local exchange
28 services for Interconnection and Resale to PCS. Generally, Qwest services will be made available

1 to PCS for resale at a twelve (12) percent discount for residential customers and an eighteen (18)
2 percent discount for business customers.

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

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

10 7. Since there are no grounds for rejection of the Agreement pursuant to Section
11 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the
12 Interconnection Agreement between Qwest and PCS.

13 CONCLUSIONS OF LAW

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

16 2. The Commission has jurisdiction over PCS and over the subject matter of the
17 Application.

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

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

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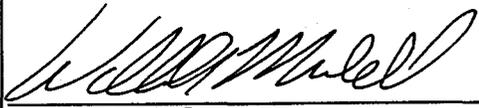
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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and PCS filed on February 20, 2001.

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

BY ORDER OF THE ARIZONA CORPORATION COMMISSION



CHAIRMAN

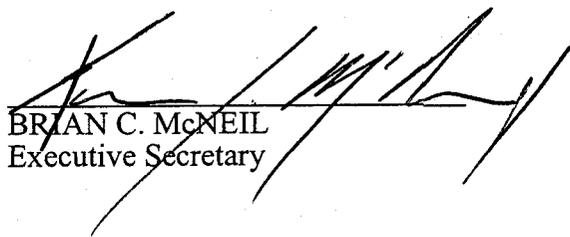


COMMISSIONER



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 2nd day of March, 2001.



BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DRS:EAA:lhmm

1 SERVICE LIST FOR: Qwest Corporation and Preferred Carrier Services, Inc.
2 DOCKET NOS. T-01051B-01-0144 and T-03248A-01-0144

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