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MEMORANDUM

Arizona Corporation Commission

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ARIZ CORP COMMISSION
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TO: THE COMMISSION

FROM: Utilities Division

DATE: March 6, 2001

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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 AN AGREEMENT FOR INTERCONNECTION, UNBUNDLED NETWORK ELEMENTS, ANCILLARY SERVICES AND RESALE WITH ESSEX COMMUNICATIONS, INC. D/B/A ELEC COMMUNICATIONS (DOCKET NOS. T-01051B-01-0062 AND T-03890A-01-0062)

On January 19, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications, Inc., filed an application for approval of an Interconnection Agreement between Qwest, and Essex Communications, Inc. ("Essex") d/b/a eLEC Communications. The term of the Agreement shall be effective upon Commission approval and remain in effect until January 26, 2003. Upon expiration, the agreement shall remain in force and effect until terminated by either party on one hundred sixty (160) days written notice. The Agreement governs the terms and conditions under which Qwest will offer interconnection to Essex.

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 Agreement between Qwest and Essex was voluntarily negotiated; without resort to arbitration.

Under the terms of the Agreement, Qwest will provide specified local exchange services for Interconnection, Resale, Collocation and Unbundled Network Elements to Essex. Generally, Qwest services will be made available to Essex for resale at a twelve (12) percent discount for residential customers and an eighteen (18) percent discount for business customers.

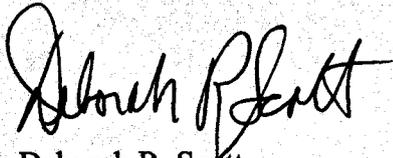
According to the 1996 Act and State Rule, the Commission must approve voluntarily negotiated interconnection and resale agreements if their provisions are non-discriminatory and in the public interest. Staff has reviewed the Agreement and finds it to be non-discriminatory and in the public interest. 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 6, 2001

Page 2

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



Deborah R. Scott
Director
Utilities Division

DRS:EAA:lhmd\DMW

ORIGINATOR: Erinn Andreasen

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)
OF QWEST CORPORATION F/K/A U S WEST)
7 COMMUNICATIONS, INC. FOR APPROVAL)
OF AN AGREEMENT FOR)
8 INTERCONNECTION, UNBUNDLED)
NETWORK ELEMENTS, ANCILLARY)
9 SERVICES AND RESALE WITH ESSEX)
COMMUNICATION, INC. D/B/A ELEC)
10 COMMUNICATIONS)

DOCKET NOS. T-01051B-01-0062
T-03890A-01-0062

DECISION NO. _____

ORDER

11 Open Meeting
12 March 27 and 28, 2001
13 Phoenix, Arizona

14 BY THE COMMISSION:

15 FINDINGS OF FACT

16 1. On January 19, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST
17 Communications, Inc., filed an application for approval of an Interconnection Agreement between
18 Qwest, and Essex Communications, Inc. ("Essex") d/b/a eLEC Communications. The term of the
19 Agreement shall be effective upon Commission approval and remain in effect until January 26,
20 2003. Upon expiration, the agreement shall remain in force and effect until terminated by either
21 party on one hundred sixty (160) days written notice. The Agreement governs the terms and
22 conditions under which Qwest will offer interconnection to Essex.

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

27 3. This Agreement between Qwest and Essex was voluntarily negotiated, without
28 resort to arbitration.

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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and Essex filed on January 19, 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:lm

1 SERVICE LIST FOR: Qwest Corporation and Essex Communications, Inc. d/b/a eLEC
2 Communications: Docket Nos. T-01051B-01-0062 and T-03890A-01-0062

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