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Arizona Corporation Commission

DOCKETED

MAR 30 2001

BEFORE THE ARIZONA CORPORATION COMMISSION

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

DOCKETED BY *ad*

6 IN THE MATTER OF THE APPLICATION) DOCKET NOS. T-01051B-01-0089
7 OF QWEST CORPORATION F/K/A U S WEST) T-03589A-01-0089
8 COMMUNICATIONS, INC., FOR APPROVAL)
9 OF A LOCAL INTERCONNECTION)
AGREEMENT WITH Z-TEL)
COMMUNICATIONS, INC.)
ORDER

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

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On January 29, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST
15 Communications, Inc., filed an application for approval of an Interconnection Agreement between
16 Qwest, and Z-Tel Communications, Inc. ("Z-Tel"). The term of the Agreement shall be effective
17 upon Commission approval and remain in effect until June 30, 2003. 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 Z-Tel.

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 Z-Tel was voluntarily negotiated, without
26 resort to arbitration.

27 4. Under the terms of the Agreement, Qwest will provide specified local exchange
28 services for Interconnection, Resale, Collocation and Unbundled Network Elements to Z-Tel.

1 Generally, Qwest services will be made available to Z-Tel for resale at a twelve (12) percent
2 discount for residential customers and an eighteen (18) 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 Z-Tel.

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 Z-Tel 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 Z-Tel 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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27 ...
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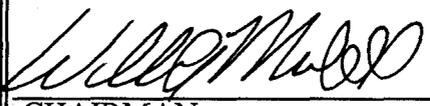
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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and Z-Tel filed on January 29, 2001.

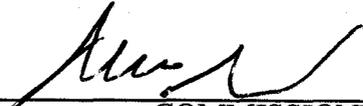
IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION



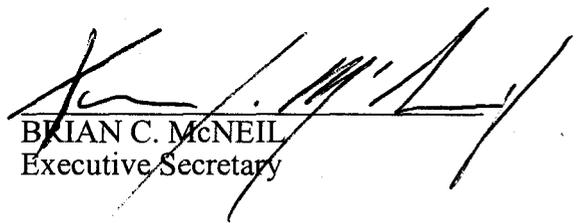
CHAIRMAN

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 30th day of March, 2001.



BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DRS:EAA:lmh

- 1 SERVICE LIST FOR: Qwest Corporation and Z-Tel Communications, Inc.
- 2 DOCKET NOS. T-01051B-01-0089 and T-03589A-01-0089
- 3
- 4 Ms. Theresa Dwyer
- 5 Fennemore Craig
- 6 3003 North Central Avenue, Suite 2600
- 7 Phoenix, Arizona 85012
- 8
- 9 Ms. Janet S. Livengood, Esq.
- 10 Z-Tel Communications, Inc.
- 11 601 S. Harbor Island Blvd.
- 12 Tampa, Florida 33602
- 13
- 14 Mr. Timothy Berg
- 15 Fennemore Craig
- 16 3003 North Central Avenue, Suite 2600
- 17 Phoenix, Arizona 85012
- 18
- 19 Mr. Christopher C. Kempley
- 20 Chief Counsel
- 21 Arizona Corporation Commission
- 22 1200 West Washington
- 23 Phoenix, Arizona 85007
- 24
- 25 Ms. Deborah Scott
- 26 Director, Utilities Division
- 27 Arizona Corporation Commission
- 28 1200 West Washington
- Phoenix, Arizona 85007