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OPEN MEETING ITEM
MEMORANDUM
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MAR 08 2001

2001 MAR -8 P 2:50

FROM: Utilities Division

DATE: March 6, 2001

DOCKETED BY *me*

AZ CORP COMMISSION
DOCUMENT CONTROL

RE: IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION F/K/A/ U S WEST COMMUNICATIONS, INC., FOR APPROVAL OF THE THIRD AMENDMENT TO THE WIRELINE INTERCONNECTION AGREEMENT WITH NEW EDGE NETWORK, INC. D/B/A NEW EDGE NETWORKS (DOCKET NOS. T-01051B-01-0017 AND T-03788A-01-0017)

On January 5, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST Communications, Inc., filed an application for approval of the Third Amendment to the Interconnection Agreement between Qwest and New Edge Network, Inc. ("New Edge"), d/b/a New Edge Networks. The original Interconnection Agreement was approved by the Commission on December 14, 1999, in Decision No. 62736.

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 Third Amendment to the Interconnection Agreement between Qwest and New Edge was voluntarily negotiated, without resort to arbitration.

Under the terms of this Third Amendment, terms, conditions and rates for IDSL and Capable Loops are added as set forth in this Amendment.

According to the 1996 Act, 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 Third Amendment 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.

Since there are no grounds for rejection of the Third Amendment pursuant to Section 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the Third Amendment to the Interconnection Agreement between Qwest and New Edge.

Deborah R. Scott
Director
Utilities Division

DRS:EAA:lhmd\DMW

ORIGINATOR: Erinn Andreasen

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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION F/K/A U S WEST)
COMMUNICATIONS, INC., FOR APPROVAL)
OF THE THIRD AMENDMENT TO THE)
WIRELINE INTERCONNECTION)
AGREEMENT WITH NEW EDGE NETWORK,)
INC. D/B/A NEW EDGE NETWORKS)

DOCKET NOS. T-01051B-01-0017
T-03788A-01-0017

DECISION NO. _____

ORDER

Open Meeting
March 27 and 28, 2001
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On January 5, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST Communications, Inc., filed an application for approval of the Third Amendment to the Interconnection Agreement between Qwest and New Edge Network, Inc. ("New Edge"), d/b/a New Edge Networks. The original Interconnection Agreement was approved by the Commission on December 14, 1999, in Decision No. 62136.

2. 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.

3. This Third Amendment to the Interconnection Agreement between Qwest and New Edge was voluntarily negotiated, without resort to arbitration.

4. Under the terms of this Third Amendment, terms, conditions and rates for IDSL and Capable Loops are added as set forth in this Amendment.

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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:lmh

SERVICE LIST FOR: Qwest Corporation and New Edge Networks, Inc.
DOCKET NOS. T-01051B-00-0017 and T-03788A-01-0017

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