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MEMORANDUM  
Arizona Corporation Commission

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TO: THE COMMISSION

MAR 08 2001

2001 MAR -8 P 2:40

FROM: Utilities Division

DOCKETED BY  
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AZ CORP COMMISSION  
DOCUMENT CONTROL

DATE: March 6, 2001

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 USA DIGITAL, INC. (DOCKET NOS. T-01051B-01-0013 AND T-03933A-01-0013)

On January 5, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications, Inc., filed an application for approval of an Interconnection Agreement between Qwest, and USA Digital, Inc. ("USA"). The term of the agreement shall be effective upon Commission approval and remain in effect until February 1, 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 USA.

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 USA 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 USA. Generally, Qwest services will be made available to USA for resale at a twelve (12) percent discount for residential customers and an eighteen (18) percent discount for business customers.

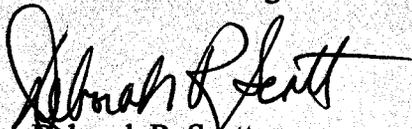
According to the 1996 Act and State Rule, the Commission must approve voluntarily negotiated interconnection and resale agreements if their provisions are non-discriminatory and in the public interest. Staff has reviewed the Agreement and finds it to be non-discriminatory and in the public interest.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



Deborah R. Scott  
Director  
Utilities Division

DRS:EAA:jbc/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 USA )  
DIGITAL, INC. )

DOCKET NOS. T-01051B-01-0013  
T-03933A-01-0013

DECISION NO. \_\_\_\_\_

ORDER

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

13 BY THE COMMISSION:

14 FINDINGS OF FACT

15 1. On January 5, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST  
16 Communications, Inc., filed an application for approval of an Interconnection Agreement between  
17 Qwest, and USA Digital, Inc. ("USA"). The term of the Agreement shall be effective upon  
18 Commission approval and remain in effect until February 1, 2003. Upon expiration, the  
19 agreement shall remain in force and effect until terminated by either party on one hundred sixty  
20 (160) days written notice. The Agreement governs the terms and conditions under which Qwest  
21 will offer interconnection to USA.

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

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

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ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and USA filed on January 5, 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:jbc/DMW

1 SERVICE LIST FOR: Qwest Corporation and USA Digital, Inc.

2 DOCKET NOS. T-01051B-01-0013 and T-03933A-01-0013

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