

**MEMORANDUM**



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TO: THE COMMISSION

OPEN MEETING ITEM

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FROM: Utilities Division

2001 APR 17 P 2:34

DATE: April 17, 2001

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 INTERCONNECTION AGREEMENT WITH IONEX  
COMMUNICATIONS NORTH, INC. (DOCKET NOS. T-01051B-01-0171 AND T-  
03864A-01-0171)

On February 27, 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 Ionex Communications North Inc. ("Ionex"). The original Interconnection Agreement was approved by the Commission on August 24, 2000, in Decision No. 62841.

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 Ionex was voluntarily negotiated, without resort to arbitration.

Under the terms of this Third Amendment, the Interim Line Sharing Agreement is replaced in its entirety and terms and conditions relating to Line Sharing are added to the underlying agreement.

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 Ionex.

Deborah R. Scott  
Director  
Utilities Division

DRS:EAA:jbc/MAS

ORIGINATOR: Erinn Andreasen

Arizona Corporation Commission

DOCKETED

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL  
Chairman  
3 JIM IRVIN  
Commissioner  
4 MARC SPITZER  
Commissioner  
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6 IN THE MATTER OF THE APPLICATION ) DOCKET NOS. T-01051B-01-0171  
OF QWEST CORPORATION F/K/A U S WEST ) T-03864A-01-0171  
7 COMMUNICATIONS, INC., FOR APPROVAL )  
OF THE THIRD AMENDMENT TO THE ) DECISION NO. \_\_\_\_\_  
8 INTERCONNECTION AGREEMENT WITH )  
9 IONEX COMMUNICATIONS NORTH, INC. ) ORDER

10 Open Meeting  
May 1 and 2, 2001  
11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On February 27, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST  
15 Communications, Inc., filed an application for approval of the Third Amendment to the  
16 Interconnection Agreement between Qwest and Ionex Communications North Inc. ("Ionex"). The  
17 original Interconnection Agreement was approved by the Commission on August 24, 2000, in  
18 Decision No. 62841.

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

23 3. This Third Amendment to the Interconnection Agreement between Qwest and  
24 Ionex was voluntarily negotiated, without resort to arbitration.

25 4. Under the terms of this Third Amendment, the Interim Line Sharing Agreement is  
26 replaced in its entirety and terms and conditions relating to Line Sharing are added to the  
27 underlying Agreement.

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ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the Third Amendment to the Interconnection Agreement between Qwest and Ionex filed on February 27, 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/MAS

1 SERVICE LIST FOR: QWEST CORPORATION AND IONEX COMMUNICATIONS NORTH,  
2 INC.

3 DOCKET NOS. T-01051B-01-00171 AND T-03864A-01-0171

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21 Ms. Deborah Scott  
22 Director, Utilities Division  
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