



BEFORE THE ARIZONA CORPORATION COMMISSION

1 WILLIAM A. MUNDELL  
Chairman  
2 JIM IRVIN  
Commissioner  
3 MARC SPITZER  
Commissioner  
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5  
6 IN THE MATTER OF THE APPLICATION )  
OF QWEST CORPORATION F/K/A U S WEST )  
7 COMMUNICATIONS, INC., FOR APPROVAL )  
OF A 911 WAIVER AMENDMENT TO THE )  
8 LOCAL INTERCONNECTION AGREEMENT )  
WITH SPRINT COMMUNICATIONS )  
9 COMPANY, L.P. )

DOCKET NOS. T-01051B-01-0245  
T-02432B-01-0245

DECISION NO. 63647

Arizona Corporation Commission  
ORDER DOCKETED

MAY 04 2001

DOCKETED BY sd

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

13 BY THE COMMISSION:

14 FINDINGS OF FACT

15 1. On March 21, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST  
16 Communications, Inc., filed an application for approval of the 911 Waiver Amendment to the  
17 Interconnection Agreement between Qwest and Sprint Communications Company, L.P. ("Sprint").  
18 The original Interconnection Agreement was approved by the Commission on November 16, 200,  
19 in Decision No. 63135.

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

24 3. This Amendment to the Interconnection Agreement between Qwest and Sprint was  
25 voluntarily negotiated, without resort to arbitration.

26 4. The Amendment is made in order to clarify that Sprint new Dial IP equipment does  
27 not require 911 or E911 facilities because the line is a dedicated facility and will carry only one-  
28 way internet-bound data traffic from customers. Sprint affirms that it will not allow its Dial IP

1 customers to originate voice calls using the Dial IP service that terminate to Qwest which include  
2 911 calls.

3 5. According to the 1996 Act, the Commission must approve voluntarily negotiated  
4 interconnection and resale agreements, if their provisions are non-discriminatory and in the public  
5 interest.

6 6. Staff has reviewed the Amendment 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 Amendment pursuant to Section  
11 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the 911  
12 Waiver Amendment to the Interconnection Agreement between Qwest and Sprint.

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 Sprint 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 Amendment to the Interconnection Agreement negotiated between Qwest and  
20 Sprint meets the requirements of Section 252(e)(2)(A) of the 1996 Act which governs the  
21 approval of voluntarily-negotiated agreements and is in the public interest.

22 4. The Commission maintains jurisdiction over the subject matter of the Agreement  
23 and Amendments thereto, 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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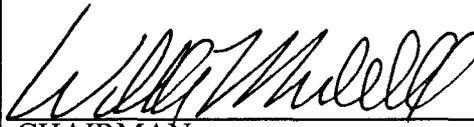
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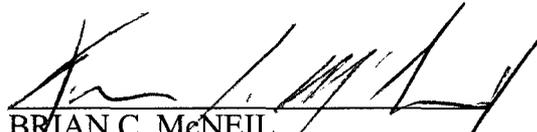
THEREFORE, IT IS ORDERED that the Commission hereby approves the 911 Waiver Amendment to the Interconnection Agreement between Qwest and Sprint filed March 21, 2001.

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 4<sup>th</sup> day of May, 2001.

  
 BRIAN C. McNEIL  
 Executive Secretary

DISSENT: \_\_\_\_\_

DRS:EAA:lhmm\MAS

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