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MEMORANDUM

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TO: THE COMMISSION

2001 JUL 11 A 9:37

FROM: Utilities Division

OPEN MEETING ITEM

AZ CORP COMMISSION
DOCUMENT CONTROL

DATE: July 9, 2001

RE: IN THE MATTER OF THE APPLICATION CITIZENS UTILITIES RURAL COMPANY, INC., FOR APPROVAL OF A FIRST AMENDMENT TO THE COMMERCIAL MOBILE RADIO SERVICE AGREEMENT WITH SPRINT SPECTRUM SPECTRUM L.P. (DOCKET NOS. ~~T-01051B-01-0390~~ AND ~~T-03308A-01-0390~~)
T-01954B-01-0390 + T-03308A-01-0390

On May 7, 2001, Citizens Utilities Rural Company, Inc. ("Citizens") filed an application for approval of the First Amendment to the Interconnection Agreement between Citizens and Sprint Spectrum, L.P. ("Sprint"). The original Interconnection Agreement was approved by the Commission on November 30, 2000, in Decision No. 63212.

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 First Amendment to the Interconnection Agreement between Citizens and Sprint was voluntarily negotiated, without resort to arbitration.

Under the terms of this First Amendment, terms and conditions are added for additional Network Facilities to be provided by Citizens upon request by Sprint.

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 First Amendment and finds it to be non-discriminatory and in the public interest. Citizens 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.

Arizona Corporation Commission

DOCKETED

JUL 11 2001

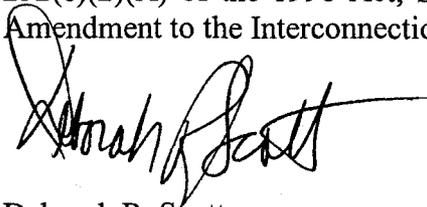
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THE COMMISSION

July 9, 2001

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

A handwritten signature in black ink, appearing to read "Deborah R. Scott". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Deborah R. Scott

Director

Utilities Division

DRS:EAA:bsl/MAS

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 CITIZENS UTILITIES RURAL COMPANY,)
7 INC., FOR APPROVAL OF A FIRST)
AMENDMENT TO THE COMMERCIAL)
8 MOBILE RADIO SERVICE AGREEMENT)
WITH SPRINT SPECTRUM L.P.)

DOCKET NOS. T-01954B-01-0390
T-03308A-01-0390

DECISION NO. _____

ORDER

9
10 Open Meeting
July 24 and 25, 2001
11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On May 7, 2001, Citizens Utilities Rural Company, Inc. ("Citizens") filed an
15 application for approval of the First Amendment to the Interconnection Agreement between
16 Citizens and Sprint Spectrum, L.P. ("Sprint"). The original Interconnection Agreement was
17 approved by the Commission on November 30, 2000, in Decision No. 63212.

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

22 3. This First Amendment to the Interconnection Agreement between Citizens and
23 Sprint was voluntarily negotiated, without resort to arbitration.

24 4. Under the terms of this First Amendment, terms and conditions are added for
25 additional Network Facilities to be provided by Citizens upon request by Sprint.

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

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ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the First Amendment to the Interconnection Agreement between Citizens and Sprint filed May 7, 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:bsl/MAS

1 SERVICE LIST FOR: Citizens Utilities Rural Company, Inc. and Sprint Spectrum, L.P.

2 DOCKET NOS. T-01051B-01-0390 and T-03308A-01-0390

3

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15 Citizens Communications
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18 Mr. Christopher C. Kempley
19 Chief Counsel
20 Arizona Corporation Commission
21 1200 West Washington
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23 Ms. Deborah Scott
24 Director, Utilities Division
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