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OPEN MEETING ITEM

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ORIGINAL

MEMORANDUM

RECEIVED

TO: THE COMMISSION

2001 AUG 15 P 4: 27

FROM: Utilities Division

ARIZONA CORPORATION COMMISSION
DOCUMENT CONTROL

DATE: August 15, 2001

RE: IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION F/K/A U S WEST COMMUNICATIONS, INC., FOR APPROVAL OF THE SINGLE POINT OF PRESENCE AMENDMENT TO THE INTERCONNECTION AGREEMENT WITH NETWORK SERVICES, L.L.C (DOCKET NO. T-01051B-01-0585)

On July 24, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications, Inc., filed an Application for approval of an Amendment to the Interconnection Agreement between Qwest and Network Services, L.L.C ("Network Services"). The original Interconnection Agreement was approved by the Commission on June 30, 2000, in Decision No. 62707.

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 Amendment to the Interconnection Agreement between Qwest and Network Services was voluntarily negotiated, without resort to arbitration.

Under the terms of this Amendment, terms and conditions for Single Point of Presence are added to the Interconnection Agreement.

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 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.

Arizona Corporation Commission
DOCKETED

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THE COMMISSION

August 15, 2001

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



Steven M. Olea
Acting Director
Utilities Division

SMO: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 QWEST CORPORATION F/K/A U S WEST)
7 COMMUNICATIONS, INC., FOR APPROVAL)
OF THE SINGLE POINT OF PRESENCE)
8 AMENDMENT TO THE)
INTERCONNECTION AGREEMENT WITH)
9 NETWORK SERVICES, L.L.C)

DOCKET NO. T-01051B-01-0585

DECISION NO. _____

ORDER

10 Open Meeting
August 28 and 29, 2001
11 Phoenix, Arizona

12 BY THE COMMISSION:

13

FINDINGS OF FACT

14 1. On July 24, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications,
15 Inc., filed an Application for approval of an Amendment to the Interconnection between Qwest
16 and Network Services, Inc. ("Network Services"). The original Interconnection Agreement was
17 approved by the Commission on June 30, 2000, in Decision No. 62707.

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
21 to be concluded by voluntary negotiation.

22 3. This Amendment to the Interconnection Agreement between Qwest and Network
23 Services was voluntarily negotiated, without resort to arbitration.

24 4. Under the terms of this Amendment, terms and conditions for Single Point of
25 Presence are added to the Interconnection Agreement.

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

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ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the Amendment to the Interconnection Agreement between Qwest and Network Services filed on July 24, 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: _____

SMO:EAA:bsl/MAS

1 SERVICE LIST FOR: Qwest Corporation and Network Services, LLC.

2 DOCKET NO. T-01051B-01-0585

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5 Network Services, LLC
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9 Fennemore Craig
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11 Phoenix, Arizona 85012

12 Mr. Timothy Berg
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18 Arizona Corporation Commission
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