



0000039172

BEFORE THE ARIZONA CORPORATION COMMISSION Commission

DOCKETED

NOV 29 2001

| | |
|-------------|------------|
| DOCKETED BY | <i>rac</i> |
|-------------|------------|

1
2 WILLIAM A. MUNDELL
Chairman
3 JIM IRVIN
Commissioner
4 MARC SPITZER
Commissioner
5

6 IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION FOR)
7 APPROVAL OF A LOCAL INTER-)
CONNECTION AGREEMENT WITH)
8 KMC TELECOM V, INC.)

DOCKET NOS. T-01051B-01-0792
T-03872A-01-0792

DECISION NO. 64229

ORDER

9
10 Open Meeting
November 27 and 28, 2001
11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On October 9, 2001, Qwest Corporation ("Qwest") filed an Application for
15 approval of an Interconnection Agreement between Qwest and KMC Telecom, Inc. ("KMC").
16 The Agreement shall be effective upon Commission approval and shall remain in effect for a term
17 of three (3) years. Upon expiration, the Agreement shall remain in force and effect until
18 terminated by either party on one hundred sixty (160) days written notice. The Agreement
19 governs the terms and conditions under which Qwest will offer interconnection services to KMC.

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
22 entrants to the local exchange market. The 1996 Act provides for interconnection and resale
23 agreements to be concluded by voluntary negotiation.

24 3. This Agreement between Qwest and KMC was voluntarily negotiated, without
25 resort to arbitration.

26 ...
27 ...
28 ...

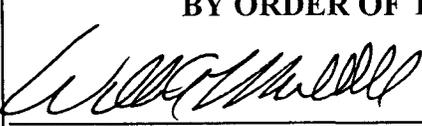
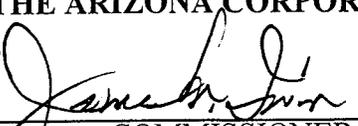
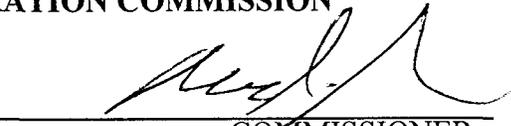
ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

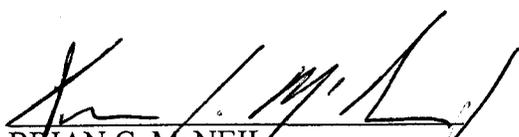
IT IS THEREFORE ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and KMC filed on October 9, 2001.

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 29th day of November, 2001.


 BRIAN C. McNEIL
 Executive Secretary

DISSENT: _____

EGJ:EAA:rdp/MAS

1 SERVICE LIST FOR: Qwest Corporation and KMC Telecom V, Inc.

2 DOCKET NOS. T-01051B-01-0792 and T-03872A-01-0792

3

4 Ms. Theresa Dwyer
5 Fennemore Craig
6 3003 North Central Avenue, Suite 2600
7 Phoenix, Arizona 85012

8 Mr. Timothy Berg
9 Fennemore Craig
10 3003 North Central Avenue, Suite 2600
11 Phoenix, Arizona 85012

12 Ms. Charlene H. Keys
13 VP-Interconnection Services
14 KMC Telecom Holdings, Inc.
15 1755 North Brown Road
16 Lawrenceville, Georgia 30043

17 Mr. Andrew M. Klein
18 Kellye Drye & Warren
19 Counsel to KMC Telecom, Inc.
20 1200 19th Street North West
21 Washington, District of Columbia 20036

22 Mr. Christopher C. Kempley
23 Chief Counsel
24 Arizona Corporation Commission
25 1200 West Washington
26 Phoenix, Arizona 85007

27 Mr. Ernest G. Johnson
28 Director, Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

23

24

25

26

27

28