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OPEN MEETING

ORIGINAL

MEMORANDUM

RECEIVED

TO: THE COMMISSION

414

2001 NOV 15 P 3:28

FROM: Utilities Division

AZ CORP COMMISSION
DOCUMENT CONTROL

DATE: November 15, 2001

RE: IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION FOR APPROVAL OF A RESALE INTERCONNECTION AGREEMENT WITH CP², INC. (DOCKET NOS. T-01051B-01-0791 AND T-03762A-01-0791)

On October 9, 2001, Qwest Corporation ("Qwest") filed an Application for approval of an Interconnection Agreement between Qwest and CP², Inc. ("CP²"). The Agreement shall be effective upon Commission approval and shall remain in effect for a term of two (2) years and shall terminate on October 2, 2003. Upon expiration, the Agreement shall remain in force and effect until terminated by either party on one hundred sixty (160) days written notice. The Agreement governs the terms and conditions under which Qwest will offer interconnection services to CP².

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 Agreement between Qwest and CP² was voluntarily negotiated, without resort to arbitration.

Under the terms of the Agreement, Qwest will provide specified local exchange services for Interconnection and Resale to CP². Generally, Qwest services will be made available to CP² for resale at a twelve (12) percent discount for residential customers and an eighteen (18) percent discount for business customers.

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 Agreement 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

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THE COMMISSION

November 15, 2001

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

A handwritten signature in black ink, appearing to read "EGJ", followed by a long horizontal flourish.

Ernest G. Johnson
Director
Utilities Division

EGJ:EAA:rdp/MAS

ORIGINATOR: Erinn Andreasen

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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION FOR APPROVAL)
OF A RESALE INTERCONNECTION)
AGREEMENT WITH CI², INC.)
_____)

DOCKET NOS. T-01051B-01-0791
T-03762A-01-0791
DECISION NO. _____
ORDER

Open Meeting
November 27 and 28, 2001
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On October 9, 2001, Qwest Corporation ("Qwest") filed an Application for approval of an Interconnection Agreement between Qwest and CI², Inc. ("CI²"). The Agreement shall be effective upon Commission approval and shall remain in effect for a term of two (2) years and shall terminate on October 2, 2003. Upon expiration, the Agreement shall remain in force and effect until terminated by either party on one hundred sixty (160) days written notice. The Agreement governs the terms and conditions under which Qwest will offer interconnection services to CI².

2. 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.

3. This Agreement between Qwest and CI² was voluntarily negotiated, without resort to arbitration.

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ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and CI² 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 ____ day of _____, 2001.

BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

EGJ:EAA:rdp/MAS

1 SERVICE LIST FOR: Qwest Corporation and CP², Inc.
2 DOCKET NOS. T-01051B-01-0791 and T-03762A-01-0791

3
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