

# OPEN MEETING



0000040389

## MEMORANDUM

RECEIVED

TO: THE COMMISSION

2001 NOV 28 P 12: 01

FROM: Utilities Division

AZ CORP COMMISSION  
DOCUMENT CONTROL

DATE: November 28, 2001

RE: IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION FOR APPROVAL OF THE NON-RECURRING CHARGES FOR UNBUNDLED NETWORK ELEMENT PLATFORMS AMENDMENT TO THE WIRELINE INTERCONNECTION AGREEMENT WITH ESCHELON TELECOM OF ARIZONA, INC. F/K/A ADVANCED TELECOMMUNICATIONS, INC. (DOCKET NOS. T-01051B-01-0813 AND T-03406A-01-0813)

On October 15, 2001, Qwest Corporation ("Qwest") filed an Application for approval of an Amendment to the Interconnection Agreement between Qwest and Eschelon Telecom of Arizona, Inc. f/k/a Advanced Telecommunications, Inc. ("Eschelon"). The original Interconnection Agreement was approved by the Commission on April 28, 2000, in Decision No. 62489.

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 Eschelon was voluntarily negotiated, without resort to arbitration.

Under the terms of this Amendment, terms and conditions for non-recurring charges for Unbundled Network Element Platforms are established.

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.

• THE COMMISSION

November 28, 2001

Page 2

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 Eschelon.

A handwritten signature in black ink, appearing to read "EGJ", followed by a long horizontal line extending to the right.

Ernest G. Johnson  
Director  
Utilities Division

EGJ:EAA:rdp/JMA

ORIGINATOR: Erinn Andreasen