

ORIGINAL

NEW APPLICATION



0000113776

Qwest Corporation
2 East McDowell Road - 16th Floor
Phoenix, Arizona 85012
Office 602-630-2187
Fax 602-235-3107
E-mail norm.curtright@qwest.com

Qv

RECEIVED

Spirit of Service

Norman G. Curtright
Associate General Counsel

2010 JUN 29 P 4:36

AZ CORP COMMISSION
DOCKET CONTROL
June 29, 2010

Docket Control
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

T-01051B-10-0257
T-20694A-10-0257

Re: T-01051B
T-20694A

In the Matter of the Adoption of the Wireline Interconnection Agreement
Between Access Point, Inc. and Qwest Corporation by Zayo Bandwidth, LLC,
For the State of Arizona

Dear Madam or Sir:

Qwest Corporation ("Qwest") hereby files the following for approval under section 252 (a) and (e) of the Telecommunications Act of 1996:

Wireline Adoption Interconnection Agreement (the "Adoption Agreement") between Zayo Bandwidth, LLC and Qwest. By the Adoption Agreement, Zayo adopts in its entirety under Section 252(i) the terms of the underlying Interconnection Agreement between Qwest and Access Point, Inc. (Agreement No. CDS-090317-0002, which was approved by the Commission on July 30, 2008.

Please contact the undersigned if you have any question concerning the enclosed. Thank you for your attention to this matter.

Sincerely,

Norman G. Curtright

Enclosure

Cc: Qwest Corporation
Director of Interconnection Agreements
1801 Claifornia Street, Room 2410
Denver, Colorado 80202

Zayo Bandwidth, LLC
Art Vertun, Manager Mew Market Developpment
499 Centennial Parkway, Suite 200
Louisville, Colorado 80026

Arizona Corporation Commission
DOCKETED

JUN 29 2010

DOCKETED BY *NR*



May 27, 2010

Zayo Bandwidth, LLC
Art Vertun, Manager New Market Development
400 Centennial Pkwy, Suite 200
Louisville, CO 80026

Dear Mr. Art Vertun,

We have received your request that, under Section 252(i) of the Telecommunications Act of 1996, Zayo Bandwidth, LLC ("CLEC") wishes to adopt in its entirety, the terms of the Wireline Interconnection Agreement and any associated amendments, if applicable, (the "Underlying Agreement") between Access Point, Inc. (Agreement # CDS-090317-0002) and Qwest Corporation ("Qwest"), that was approved by the Commission on July 30, 2008, as an effective agreement in the State of Arizona. CLEC is incorporated in the State of Delaware. We understand you have a complete copy of the Underlying Agreement.

By their respective signatures below, Qwest and CLEC (individually, a "Party," or collectively, the "Parties") intend that this letter serves as their agreement ("Letter Agreement") for CLEC to adopt the Underlying Agreement under the following terms and conditions:

1. The Parties shall request the Commission to expedite its review and approval of this Letter Agreement. This Letter Agreement shall become effective upon such approval. If for some reason the Commission rejects all or part of the Letter Agreement either Party may at its option declare the remainder of the Agreement void and be excused from any performance thereunder.
2. Notwithstanding the mutual commitments set forth herein, Qwest is entering into this Letter Agreement without prejudice to any positions it has taken previously, or may take in the future, in any legislative, regulatory, or other public forum addressing any matters, including those relating to the types of arrangements contained in the Underlying Agreement. During the proceeding in which the Commission is to review and approve the Letter Agreement, a Party may point out that it has objected, and continues to object, to the inclusion of the terms and conditions to which it objected in the proceedings involving the approval of the Underlying Agreement.
3. CLEC adopts the terms and conditions of the Underlying Agreement for interconnection with Qwest Corporation and in applying the terms and conditions, agrees that Zayo Bandwidth, LLC be substituted in place of "Access Point, Inc." throughout the Underlying Agreement wherever the latter appears.
4. Qwest requests that notice to Qwest Corporation as may be required under the Underlying Agreement shall be provided as follows:

Qwest Corporation
Director Interconnection Agreements
1801 California Street, Room 2410
Denver, CO 80202
Phone - 303-965-3029
Email - IntAgree@qwest.com

With copy to
Qwest Corporation Law Department
Attention: General Counsel, Interconnection
1801 California Street, 10th Floor
Denver, CO 80202
Phone: 303-383-6553
Email: Legal.Interconnection@qwest.com

CLEC requests that notice to CLEC as may be required under the Underlying Agreement shall be provided as follows:

Zayo Bandwidth, LLC
Art Vertun, Manager New Market Development
400 Centennial Pkwy, Suite 200
Louisville, CO 80026
Phone (303) 381-3371
Email avertun@zayo.com

5. CLEC represents and warrants that it is a certified provider of local telecommunication service in the State of Arizona and that this Agreement will cover services in that state only.

6. Please sign all three original copies of this letter, and overnight them within thirty (30) days to:

Manager of Interconnection
Qwest Corporation
1801 California St, Suite 2420
Denver, CO 80202
Phone: 303-965-3029

After thirty (30) days Qwest may rescind its willingness to consider this Letter Agreement's terms and conditions.

7. Please note that Qwest will file this Letter Agreement with the appropriate state commission for approval; however, some state commissions will not approve the Letter Agreement until the CLEC is certified by the state commission. You may want to contact the appropriate state commission to determine the requisite filing guidelines.

Sincerely,

Date

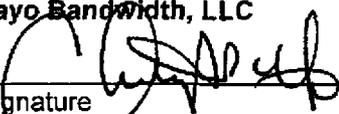


6/2/10

Qwest Corporation
L. T. Christensen
Director - Wholesale Contracts
1801 California Street, Suite 24th Floor
Denver, Colorado 80202

I agree to all terms and conditions contained in this letter as indicated by my signature below:

Zayo Bandwidth, LLC


Signature

Christopher P. Yost
Name Printed

General Counsel
Title

5/28/10
Date