DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

RITA SCOTT

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

JOE CUSICK

WAYNE HART

DAVID SCOTT

WORKING FILE

FROM:CHERI C. COPSEY

DATE:SEPTEMBER 17, 1998

RE:REQUEST FOR APPROVAL OF INTERCONNECTION AGREEMENT BETWEEN U S WEST COMMUNICATIONS, INC. AND CTC TELECOM, INC.; CASE NO. USW-T-98-9

On August 14, 1998, U S WEST Communications, Inc. and CTC Telecom, Inc. filed a Joint Application for approval of a negotiated interconnection agreement between U S WEST and CTC.  The Joint Application states that the agreement was reached through voluntary negotiations without resort to mediation or arbitration and is submitted for approval pursuant to Section 252(e) of the Telecommunications Act of 1996.

Under the terms of the Telecommunications Act of 1996, interconnection agreements must be submitted to the Commission for approval.  47 U.S.C. § 252 (e)(1).  The Commission may reject an agreement adopted by negotiation only if it finds that the agreement discriminates against a telecommunication carrier not a party to the agreement or implementation of the agreement is not consistent with the public interest, convenience and necessity.  47 U.S.C. § 252 (e)(2)(A).  If the Commission does not act to approve or reject the agreement within 90 days after its submission, the agreement is deemed approved.  47 U.S.C. § 252 (e)(4).  The Commission’s decision is not reviewable by the state courts.  Id.

Staff recommended that the Joint Application for approval of the interconnection agreement be approved.

Commission Decision:

Should the Joint Application of U S WEST and CTC for approval of their interconnection agreement be approved?

Cheri C. Copsey