

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 00T-623

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RE: THE APPLICATION FOR APPROVAL OF INTERCONNECTION AGREEMENT  
BETWEEN QWEST CORPORATION AND ARCH PAGING, INC. AND MOBILE  
COMMUNICATIONS CORPORATION OF AMERICA.

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**DECISION GRANTING JOINT MOTION FOR  
APPROVAL OF AMENDMENT TO THE  
INTERCONNECTION AGREEMENT**

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Mailed Date: February 13, 2003  
Adopted Date: February 12, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission on the joint motion of Qwest Corporation, formerly known as U S WEST Communications, Inc. (Qwest), and Arch Wireless Operating Company, Inc., formerly known as Mobile Communications Corporation of America (Arch) for approval of an Amendment to their Interconnection Agreement (Agreement). The Agreement was approved by the Commission in Decision No. C00-1453.

2. The parties filed this Amendment on January 6, 2003. The parties have agreed to amend the Agreement to add provisions for Single Point of Presence in the LATA, as set forth in the Amendment referred to as the Amendment to Paging Connection Agreement.

3. Any amended rates proposed here are at issue in Docket No. 99A-577T and are subject to influence by decisions in Docket Nos. 02M-259T and 02M-260T. Additionally, the terms and conditions of the Agreement are all matters addressed in the Statement of Generally Available Terms and Conditions Docket No. 97I-198T, and may be affected by decisions in

Docket Nos. 99A-577T, 02M-259T, and 02M-260T. Upon completion of these dockets, Arch may pick and choose the rates and terms from those dockets favorable to it by virtue of § 252(i) of the Telecommunications Act of 1996 (Act), 47 U.S.C. § 252(i), which states that:

[a] local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved under this section to which it is a party to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement.

4. Section 47 U.S.C. § 251 *et seq.*, of the Act requires that the Commission review and approve or reject interconnection agreements involving incumbent local exchange carriers like Qwest. To comply with the Act, rates in negotiated agreements must be just and reasonable, nondiscriminatory, and based on the cost of providing the interconnection or network element. 47 U.S.C. § 252(e). In reviewing agreements (or portions thereof) the Commission, generally, is guided by 47 U.S.C. § 252(e)(2), requiring that interconnection agreements not discriminate against non-parties and be consistent with the public interest, convenience, and necessity.

5. The Commission has not previously approved all the amended terms and conditions proposed here. However, we find it consistent with the terms of the Agreement, the directives of the Act, and the spirit of our own interconnection agreement rules to approve the present amended terms and conditions subject to our own rules and general ratemaking proceedings.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The joint motion of Qwest Corporation, formerly known as U S WEST Communications, Inc., and Arch Wireless Operating Company, Inc., formerly known as Mobile Communications Corporation of America to amend their Interconnection Agreement is granted.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
February 12, 2003.**

(S E A L)



**ATTEST: A TRUE COPY**

*Bruce N. Smith*

**Bruce N. Smith  
Director**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

**GREGORY E. SOPKIN**

**POLLY PAGE**

**JIM DYER**

Commissioners