

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

DOCKET NO. 03T-083

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IN THE MATTER OF THE APPLICATION FOR APPROVAL OF INTERCONNECTION  
AGREEMENT BETWEEN QWEST CORPORATION AND ROCKYNET.COM.

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**DECISION APPROVING REPORT OF  
ADOPTION OF PREVIOUSLY APPROVED  
INTERCONNECTION AGREEMENT**

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Mailed Date: March 27, 2003  
Adopted Date: March 26, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Colorado Public Utilities Commission (Commission) on the submittal of a Report of Adoption of ~~Qwest's Statement of Generally Available Terms and Conditions (SGAT)~~ Previously Approved Interconnection Agreement filed by Qwest Corporation (Qwest) and RockyNet.com (RockyNet) pursuant to Commission Rule 4 *Code of Colorado Regulations* (CCR) 723-44-6.<sup>1</sup>

2. The parties filed this Report of Adoption on March 6, 2003. RockyNet has elected to adopt, in its entirety, the terms of the Interconnection Agreement ("Agreement") and any associated amendments, ~~if applicable,~~ between S-Tel, LLC and Qwest ~~Corporation (f/k/a/ US WEST Communications, Inc.)~~ that was approved by the Commission on August 7, 2002 in Decision No. C02-856, in its entirety, without modification. ~~The Parties filed this Report of Adoption on March 6, 2003. RockyNet has elected to adopt Qwest's SGAT for Interconnection,~~

~~Unbundled Network Elements, Ancillary Services, and Resale of Telecommunication Services Eighth Revision, filed on April 29, 2002, as subsequently amended in compliance filings on June 13 and June 28, 2002, and as approved by the Commission on July 2, 2002, in Decision No. C02-739 in Docket No. 02M-260T and as further amended in accordance with Decision No. C02-932, issued August 29, 2002.~~

3. The parties have complied with the requirements of 4 CCR 723-44 *et seq.* for the submission for approval of interconnection agreements. Additionally, the Report of Adoption contains all information required in 4 CCR 723-44-6.

4. Pursuant to § 252(i) of the Telecommunications Act of 1996 (Act), 47 U.S.C. § 252(i), an incumbent local exchange carrier (ILEC), such as Qwest, shall make available any interconnection, service, or network element provided under an agreement or amendment previously approved by this Commission to which the ILEC is a party to any other requesting local exchange carrier upon the same terms and conditions as those provided in the agreement.

5. Section 47 U.S.C. § 251 *et seq.*, of the Act requires that the Commission review and approve or reject interconnection agreements involving ILECs 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.

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<sup>1</sup> Colorado Public Utilities Commission Rules Establishing Procedures Relating to Interconnection Agreements, and any Amendment to Interconnection Agreements Within Colorado by Telecommunications Carriers.

6. The Commission has previously approved the rates, terms, and conditions in the Agreement adopted by the parties. We find it consistent with the directives of the Act, and our own interconnection agreement rules to approve the Report of Adoption subject to our own rules and general rate-making proceedings.

## II. **ORDER**

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

1. The Report of Adoption by Qwest Corporation and RockyNet.Com to adopt in its entirety, without modification, the previously approved Interconnection Agreement between S-Tel, LLC and Qwest Corporation, approved by the Commission on August 7, 2002 in Decision No. C02-856, is granted.~~the terms and conditions of Qwest Corporation's Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunication Services, Eighth Revision, filed on April 29, 2002, as subsequently amended in compliance filings on June 13 and June 28, 2002, and as approved by the Commission on July 2, 2002, in Decision No. C02-739 and as further amended in accordance with Decision No. C02-932 issued August 29, 2002, is granted.~~

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
March 26, 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**

**JIM DYER**

Commissioners

COMMISSIONER POLLY PAGE ABSENT.