

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

DOCKET NO. 01B-493T

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IN THE MATTER OF THE APPLICATION FOR APPROVAL OF INTERCONNECTION  
AGREEMENT BETWEEN QWEST CORPORATION AND RUBY RANCH INTERNET  
COOPERATIVE ASSOCIATION.

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

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Mailed Date: April 2, 2003  
Adopted Date: April 2, 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 Ruby Ranch Internet Cooperative Association (Ruby Ranch) for approval of an Amendment to their Interconnection Agreement (Agreement). The Agreement between Qwest and Ruby Ranch for the provision of local exchange services was approved by the Commission in Decision No. C02-458 issued April 26, 2002.

2. The parties filed this Amendment on February 27, 2003. The parties have agreed to amend the Agreement with respect to Shared Distribution Loop and Field Connection Point Reclassification.

3. Under the terms of the 47 U.S.C. § 252(i) “pick and choose” provision of the Act, Ruby Ranch may at some future date opt into the rates, terms, and conditions of Commission

approved and currently effective agreements, amendments, Statements of Generally Available Terms and Conditions or tariffs:

[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 Ruby Ranch Internet Cooperative Association to amend their Interconnection Agreement is granted.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
April 2, 2003.**

(S E A L)



**ATTEST: A TRUE COPY**

**Bruce N. Smith  
Director**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**GREGORY E. SOPKIN**

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**POLLY PAGE**

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**JIM DYER**

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Commissioners