

Decision No. C03-0782

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

DOCKET NO. 00T-438

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APPLICATION FOR APPROVAL OF ARBITRATED INTERCONNECTION AGREEMENT  
BETWEEN QWEST CORPORATION AND SPRINT COMMUNICATIONS COMPANY L.P.

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

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Mailed Date: July 17, 2003  
Adopted Date: July 16, 2003

**I. BY THE COMMISSION:**

**A. Statement**

1. This matter comes before the Commission on the joint motion of Qwest Corporation (Qwest) and Sprint Communications, LP (Sprint) for approval of an Amendment to their Interconnection Agreement (Agreement). The Agreement was initially approved in Decision No. C00-939, issued August 29, 2000, and subsequently amended.

2. The parties filed this Amendment on June 4, 2003. The parties have agreed to amend the Agreement to add rates, terms, and conditions for Unbundled Network Elements Combinations. This Amendment is modeled after Section 9.23 of Qwest's Statement of Generally Available Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Services, Eighth Revision (SGAT) filed on April 29, 2002, as subsequently amended and approved by the Commission in Docket No. 02M-260T. The parties represent that this Amendment is also consistent with Qwest's Ninth

Revised SGAT, which became effective by operation of law on May 3, 2003, subject to the terms and conditions set forth in Decision No. C03-0464, issued May 5, 2003.

3. Under the terms of the 47 U.S.C. § 252(i) “pick and choose” provision of the Act, Sprint may at some future date opt into the rates, terms, and conditions of Commission approved and currently effective agreements, amendments, SGATs, 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.

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.

4. The recurring and nonrecurring rates are the same as those from the approved SGAT at Section 9.23, for Colorado, and are available to all facilities-based competitive local exchange carriers. We therefore find it consistent with the directives of the Act, and our own interconnection agreement rules to approve the present amended terms and conditions subject to our own rules and general ratemaking proceedings.

**II. ORDER**

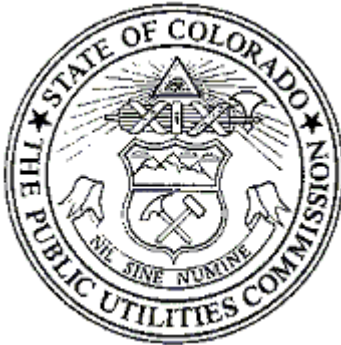
**A. The Commission Orders That:**

1. The joint motion of Qwest Corporation and Sprint Communications, LP to amend their Interconnection Agreement is granted.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
July 16, 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

POLLY PAGE

JIM DYER

Commissioners