

Decision No. C03-0803

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

DOCKET NO. 01T-051

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RE: THE APPLICATION FOR APPROVAL OF INTERCONNECTION AGREEMENT  
BETWEEN QWEST CORPORATION AND POPP TELECOM, INC.

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

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Mailed Date: July 23, 2003  
Adopted Date: June 18, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. This matter comes before the Commission on the joint motion of Qwest Corporation (Qwest) and POPP Telecom, Inc., doing business as POPP Telecom (POPP) for approval of an Amendment to their Interconnection Agreement (Agreement). The Agreement was initially approved in Decision No. C01-250, issued March 16, 2001.

2. The parties filed this Amendment on May 9, 2003. The parties have agreed to amend the Agreement to add terms and conditions regarding reciprocal compensation; specifically, the parties have agreed to a “bill and keep” mechanism.

3. Under the terms of the 47 U.S.C. § 252(i) “pick and choose” provision of the Act, POPP 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 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 POPP Telecom to amend their Interconnection Agreement is granted.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
June 18, 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