

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 02T-006

IN THE MATTER OF THE APPLICATION FOR APPROVAL OF WIRELESS
INTERCONNECTION AGREEMENT BETWEEN QWEST CORPORATION
AND VOICESTREAM WIRELESS CORPORATION.

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

Mailed Date: August 15, 2003
Adopted Date: August 13, 2003

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission on the joint motion of Qwest Corporation (Qwest) and T-Mobile USA, Inc., formerly known as VoiceStream Wireless Corporation (T-Mobile) for approval of an Amendment to their Interconnection Agreement (Agreement). The Agreement was initially approved in Decision No. C02-0126, issued February 6, 2002.

2. The parties filed this Amendment on July 7, 2003. The parties have agreed to amend the Agreement to add terms and conditions for Single Point of Presence in the LATA.

3. Under the terms of the 47 U.S.C. § 252(i) “pick and choose” provision of the Act, T-Mobile 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. 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 T-Mobile USA, Inc., formerly known as VoiceStream Wireless Corporation to amend their Interconnection Agreement is granted.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
August 13, 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