

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 01T-578

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

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

Mailed Date: March 11, 2004
Adopted Date: March 10, 2004

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission on the joint motion of Qwest Corporation (Qwest), and Premier Communications, Inc. (Premier), to amend their original Interconnection Agreement (Agreement). The Agreement between Qwest and Premier was approved in Decision No. C02-0075, issued by the Commission on January 25, 2002, and subsequently amended.

2. The parties filed this amendment on February 2, 2004. The Amendment changes the rates, terms, and conditions for Qwest DSL (with discount) provided with the Unbundled Network Element-Platform. Rates and terms are discounted, negotiated between the parties, and are taken from Qwest's applicable retail tariff, catalog, or price list.

3. The Telecommunications Act of 1996 (Act), 47 U.S.C. § 251 *et seq.* requires that the Commission review and approve or reject interconnection agreements involving incumbent local exchange carriers (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 convenience and necessity.

4. Pursuant to § 252(i) of the Act, 47 U.S.C. § 252(i), an ILEC 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. The Commission has not previously approved all of the amended rates 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 Premier Communications, Inc., to amend their Interconnection Agreement is granted.

2. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 10, 2004.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners