



State of Utah
Department of Commerce
Division of Public Utilities

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August 21, 2008

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Philip J. Powlick, Director
Bill Duncan, Manager, Telecommunications
Paul M. Anderson, Technical Consultant

Re: Agreement filing in the Matter of the Interconnection Agreement between Qwest Corporation and ACN Communications Services, Inc. per Docket No. 08-049-34

RECOMMENDATION: acknowledge receipt

ISSUES:

On July 16, 2008, Qwest Corporation ("Qwest") filed the Interconnection Agreement per the above-referenced docket in accordance with § 54-8b-2.2(1) (d) of the *Utah Code*. This Agreement had been fully executed through voluntary negotiations on July 3, 2008 with ACN Communications. ACN's Certificate of Public Convenience and Necessity was approved by the Commission on July 2, 2003 in Docket No. 03-2405-01.

The Division has reviewed the above-mentioned Agreement between Qwest and ACN Communications and sees no reason to reject it. Specifically, the Division believes that the Agreement was negotiated in good faith and without unfair discrimination. Both parties also recognize that, to the extent that the existing rules are changed, vacated, dismissed, stayed or modified, this Agreement and all contracts adopting all or part of this Agreement will be amended to reflect such modification or change of the existing rules. Therefore, the Division recommends that the Commission acknowledge the receipt of this Interconnection Agreement.

cc: L.T. Christensen, Director, Interconnection Compliance, Qwest
Dave Stevanovski, President, ACN Communication Services, Inc.
Michael Ginsberg, Assistant Attorney General