



JON HUNTSMAN Jr.  
*Governor*  
GARY HERBERT  
*Lieutenant Governor*

# State of Utah

## Department of Commerce

### Division of Public Utilities

FRANCINE GIANI  
*Executive Director*

THAD LEVAR  
*Deputy Director*

PHILIP J. POWLICK  
*Director, Division of Public Utilities*

October 6, 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 NextG Networks of California, Inc., d/b/a NextG Networks West per Docket No. 08-049-45

**RECOMMENDATION: acknowledge receipt**

#### **ISSUES:**

On August 11, 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 31, 2008 with NextG Networks of California (NextG). NextG's Certificate of Public Convenience and Necessity was approved by the Commission on March 30, 2005 in Docket No. 04-2445-01.

The Division has reviewed the above-mentioned Agreement between Qwest and NextG 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  
Robert L. Delsman, VP Governmental Relations and Regulatory Affairs, NextG Networks of California  
Michael Ginsberg, Assistant Attorney General