



State of Utah
Department of Commerce
Division of Public Utilities

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October 20, 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 Broadband Dynamics, LLC per Docket No. 08-049-49.

RECOMMENDATION: acknowledge receipt

ISSUES:

On September 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 September 9, 2008 with Broadband Dynamics, LLC (“Broadband Dynamics”). Broadband Dynamics is currently applying for a Certificate of Public Convenience and Necessity (CPCN). The approval interval is expected to extend past this interconnection agreement analysis interval.

The Division has reviewed the above-mentioned Agreement between Qwest and Broadband Dynamics 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 contingent upon Broadband Dynamics obtaining approval of a CPCN.

cc: L.T. Christensen, Director, Interconnection Compliance, Qwest
Robert S. Rife, President & CEO, Broadband Dynamics, LLC
Michael Ginsberg, Assistant Attorney General