State of Utah
Department of Commerce
Division of Public Utilities

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M E M O R A N D U M

To: Public Service Commission

From: Division of Public Utilities
Philip Powlick, Director
Bill Duncan, Telecommunications / Water Manager
Ron Slusher, Utility Technical Consultant

Date: December 21, 2009

Re: Agreement filing in the Matter of the Interconnection Agreement between Qwest
Corporation and Electric Lightwave, LLC per Docket No. 09-049-61

RECOMMENDATION:

The Division recommends that the Commission acknowledge the receipt of this Amended
Interconnection Agreement.

EXPLANATION:

On December 09, 2009, 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 December 01, 2009 with
Electric Lightwave, LLC ("Electric Lightwave"). Electric Lightwave's Certificate of Public
Convenience and Necessity was approved by the Commission on August 16, 1995 in Docket No.
94-2202-01.

The Division has reviewed the above-mentioned Agreement between Qwest and Electric
Lightwave 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 – Wholesale Contracts, Qwest Corporation
Jeffery Oxley, EVP General Counsel, Electric Lightwave, LLC
Michael Ginsberg, Assistant Attorney General, State of Utah

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