



State of Utah  
Department of Commerce  
Division of Public Utilities

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**MEMORANDUM**

**To:** Public Service Commission

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

**Date:** Mat 18, 2010

**Re:** Agreement filing in the Matter of the Second Amendment to the Interconnection Agreement between Qwest Corporation and Neutral Tandem, Inc. per Docket No. 10-049-20.

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**RECOMMENDATION:**

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

**EXPLANATION:**

On May 12, 2010, Qwest Corporation ("Qwest") filed the Second Amendment to 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 April 24, 2010 with Neutral Tandem, Inc. ("Neutral"). Neutral's Certificate of Public Convenience and Necessity was approved by the Commission on May 8, 2007 in Docket No. 07-2478-01.

The Interconnection Agreement between Qwest and Neutral was reviewed by the Division and recommended to the Commission that it be acknowledged on May 18, 2010 in Docket No. 10-049-18.

The Division has reviewed the above-mentioned Agreement between Qwest and Neutral 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 Amended Interconnection Agreement.

cc: L.T. Christensen, Director – Wholesale Contracts, Qwest Corporation  
David Tatak, VP-Billing & Revenue Service, Neutral Tandem, Inc.  
Michael Ginsberg, Assistant Attorney General, State of Utah