



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:** December 06, 2010

**Re:** Agreement filing in the Matter of the Interconnection Agreement between Qwest Corporation and Broadview Networks, Inc. per Docket No. 10-049-39

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**RECOMMENDATION (acknowledge):**

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

**EXPLANATION:**

On November 11, 2010, 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 October 25, 2010 with Broadview Networks, Inc. ("Broadview"). Broadview's Certificate of Public Convenience and Necessity was approved by the Commission on November 25, 2009 in Docket No. 09-2514-01.

The Division has reviewed the above-mentioned Agreement between Qwest and Broadview 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  
Rebecca H. Sommi, Senior VP – Operations Support, Broadview Networks, Inc.  
Patricia Schmid, Attorney, State of Utah