



State of Utah  
Department of Commerce  
Division of Public Utilities

FRANCINE GIANI  
*Executive Director*

THAN LEVAR  
*Deputy Director*

PHILIP POWLICK  
*Director, Division of Public Utilities*

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

**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 07, 2010

**Re:** Agreement filing in the Matter of the Qwest Local Services Platform ("QLSP") Interconnection Agreement between Qwest Corporation and American Fiber Network, Inc. per Docket No. 10-049-42.

---

**RECOMMENDATION (acknowledge):**

The Division recommends that the Commission acknowledge the receipt of this Qwest Local Services Platform ("QLSP") Interconnection Agreement.

**EXPLANATION:**

On December 01, 2010, Qwest Corporation ("Qwest") filed the Qwest Local Services Platform ("QLSP") 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 November 17, 2010 with American Fiber Network, Inc. ("American"). American's Certificate of Public Convenience and Necessity was approved by the Commission on June 01, 2000 in Docket No. 00-2306-01.

The Division has reviewed the above-mentioned Agreement between Qwest Corporation and American 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  
Robert Heath, Executive Vice President, American Fiber Network, Inc.  
Patricia Schmid, Attorney, State of Utah