



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

THAN LEVAR
Deputy Director

THAD LEVAR
Interim Director, Division of Public Utilities

JON HUNTSMAN Jr.
Governor
GARY HERBERT
Lieutenant Governor

MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Thad Levar, Interim Director
Bill Duncan, Telecommunications / Water Manager
Ron Slusher, Utility Technical Consultant

Date: December 29, 2010

Re: Agreement filing in the Matter of the Qwest Local Services Platform ("QLSP") Interconnection Agreement between Qwest Corporation and Broadband Dynamics, LLC per Docket No. 10-049-48

RECOMMENDATION (acknowledge):

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

EXPLANATION:

On December 17, 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 December 14, 2010 with Broadband Dynamics, LLC. Broadband Dynamics' Certificate of Public Convenience and Necessity was approved by the Commission on January 21, 2009 in Docket No. 08-2502-01.

The Division has reviewed the above-mentioned Agreement between Qwest Corporation 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.

cc: L.T. Christensen, Director – Wholesale Contracts, Qwest Corporation
Robert S. Rife, President & CEO, Broadband Dynamics, LLC
Patricia Schmid, Attorney, State of Utah