



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

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

Date: March 03, 2011

Re: Agreement filing in the Matter of the Amended Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, LLC dba PAETEC Business Services Name per Docket No.11-049-18.

RECOMMENDATION (Acknowledge):

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

EXPLANATION:

On February 28, 2011, Qwest Corporation ("Qwest") filed the Amended 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 February 16, 2011 with McLeodUSA Telecommunications Services, LLC dba PAETEC Business Services Name ("McLeodUSA"). McLeodUSA's Certificate of Public Convenience and Necessity was approved by the Commission on May 19, 1998 in Docket No.98-2249-01 and PAETEC's Certificate of Public Convenience and Necessity was approved by the Commission on March 30, 2005 in Docket No.04-2441-01.

The Division has reviewed the above-mentioned Agreement between Qwest and McLeodUSA 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
Sean Pflaging, Sr. VP Network Services, McLeodUSA Telecommunications Services, LLC dba PAETEC Business Services
Felise Thorpe Moll, Attorney, State of Utah