



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:** April 14, 2011

**Re:** Agreement filing in the Matter of the Amended Interconnection Agreement between Qwest Corporation and DIECA Communications, Inc. dba Covad Communications Company per Docket No. 11-049-26.

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**RECOMMENDATION (Acknowledge):**

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

**EXPLANATION:**

On April 12, 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 March 21, 2011 with DIECA Communications, Inc. dba Covad Communications Company ("Covad"). Covad's Certificate of Public Convenience and Necessity was approved by the Commission on October 28, 1999 in Docket No. 99-2277-01.

The Division has reviewed the above-mentioned Agreement between Qwest and Covad 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  
Douglas Carlen, General Counsel, DIECA Communications, Inc. dba Covad Communications Company