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UTAH DEPARTMENT OF COMMERCE

Division of Public Utilities

MARGARET W. BUSSE
Executive Director

CHRIS PARKER
Division Director

Action Request Response

To: Public Service Commission of Utah

From: Utah Division of Public Utilities

Chris Parker, Director
Brenda Salter, Assistant Director
Abdinasir Abdulle, Utility Technical Consultant Supervisor
Ron Slusher, Utility Technical Consultant

Date: November 29, 2023

Re: **Docket No. 23-049-09**, Agreement filing in the Matter of the Resale Forbearance Amendment to the Interconnection Agreement between Qwest Corporation d/b/a CenturyLink QC and Ymax Communications Corp.

Recommendation (Acknowledge)

The Division of Public Utilities (“Division”) recommends that the Public Service Commission (“Commission”) acknowledge the receipt of this Resale Forbearance Amended Interconnection Agreement.

Discussion

On or about November 21, 2023, Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) filed the Resale Forbearance 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 May 14, 2022, and amended on November 21, 2023, with Ymax Communications Corp (“Ymax”).

The Division has reviewed the above-mentioned Agreement between CenturyLink and Ymax 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

Division of Public Utilities

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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 Resale Forbearance Amended Interconnection Agreement.

cc: Kimberly J. Povirk, Sr. Dir. Bus. Ops Wholesale Sales, Qwest Corporation d/b/a CenturyLink QC
Robert Salvo, Ymax Communications Corp.
Patricia Schmid, Assistant Attorney General, State of Utah
Patrick Grecu, Assistant Attorney General, State of Utah
Office of Consumer Services, State of Utah