



State of Utah  
Department of Commerce  
Division of Public Utilities

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October 20, 2008

**TO: PUBLIC SERVICE COMMISSION**

**FROM: DIVISION OF PUBLIC UTILITIES**

Philip J. Powlick, Director  
Bill Duncan, Manager, Telecommunications  
Paul M. Anderson, Technical Consultant

**Re:** Final Agreement filing in the Matter of the Interconnection Agreement between Eschelon Telecom of Utah, Inc. and Qwest Corporation pursuant to 47 U.S.C. Section 252 of the Federal Telecommunications Act of 1996 per Docket No. 07-2263-03.

**RECOMMENDATION: acknowledge receipt**

**ISSUES:**

On October 13, 2008, Eschelon Telecom, Inc. ("Eschelon") filed the 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 arbitration on October 10, 2008 with Qwest Corporation. ("Qwest").

The Division has reviewed the above-mentioned Agreement between Eschelon and Qwest 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, Interconnection Compliance, Qwest  
J. Jeffery Oxley, General Counsel & Secretary, Eschelon Telecom of Utah, Inc.  
Michael Ginsberg, Assistant Attorney General