



State of Utah
Department of Commerce
Division of Public Utilities

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March 26, 2008

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Philip J. Powlick, Director
Bill Duncan, Manager, Telecommunications
Casey J. Coleman, Technical Consultant

Re: Amendment to the Interconnection Agreement between Qwest Corporation and Level 3 Communications, LLC per Docket No. 08-049-08

RECOMMENDATION: acknowledge receipt

ISSUES:

On February 25, 2008 Qwest Corporation (“Qwest”) filed the Amendment to 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 voluntary negotiations on February 13, 2008 with Level 3 Communications, LLC (“Level 3”). Level 3’s Certificate of Public Convenience and Necessity was approved by the Commission on March 8, 1999 in Docket No. 99-2266-01. On February 20, 2004 in Docket No. 02-2266-02 the Commission approved the original Interconnection Agreement between these two parties.

The Division has reviewed the above-mentioned Agreement between Qwest and Level 3 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
Jamie Moyer, Senior Director, Level 3 Communications, LLC
Michael Ginsberg, Assistant Attorney General