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Division of Public Utilities

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December 16, 2008

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

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

Re: Agreement filing in the Matter of the Interconnection Agreement between Qwest Corporation and XO Communications Services, Inc. per Docket No. 08-049-62

RECOMMENDATION: acknowledge receipt

ISSUES:

On November 4, 2008, Qwest Corporation ("Qwest") 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 voluntary negotiations on October 22, 2008 with XO Communications Services, Inc. ("XO") XO's Certificate of Public Convenience and Necessity was approved by the Commission on May 29, 1996 in Docket No. 95-2208-01.

The Division has reviewed the above-mentioned Agreement between Qwest and XO 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
Rex Knowles, XO Communications Services, Inc.
Michael Ginsberg, Assistant Attorney General