



State of Utah  
Department of Commerce  
Division of Public Utilities

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**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Philip Powlick, Director  
Bill Duncan, Telecommunications / Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** April 5, 2010

**Re:** Agreement filing in the Matter of the Interconnection Agreement between Qwest Corporation and Bresnan Broadband of Utah, LLC per Docket No. 10-049-15.

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**RECOMMENDATION (Acknowledgement):**

The Division recommends that the Commission acknowledge the receipt of the Single Point of Presence (SPOP) in the LATA Amendment to the Interconnection Agreement.

**EXPLANATION:**

On March 31, 2010, Qwest Corporation (“Qwest”) filed the Single Point of Presence (SPOP) in the LATA 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 March 19, 2010 with Bresnan Broadband of Utah, LLC (“Bresnan”). Bresnan’s Certificate of Public Convenience and Necessity was approved by the Commission on November 16, 2007 in Docket No. 07-2476-01.

The initial Interconnection Agreement between Qwest and Bresnan was filed on March 23, 2010 under Docket No.10-049-11 and it was recommended by the Division that the Commission acknowledgement the agreement.

The Division has reviewed the above-mentioned Agreement between Qwest and Bresnan 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 Single Point of Presence (SPOP) in the LATA Amendment to the Interconnection Agreement.

cc: L.T. Christensen, Director – Wholesale Contracts, Qwest Corporation  
Alex J. Harris, VP Network Planning & Industry Affairs, Bresnan Broadband of Utah  
Michael Ginsberg, Assistant Attorney General, State of Utah