

In the Matter of the Negotiated)
Collocation Agreement Between)
U S WEST COMMUNICATIONS, INC.,)
and NEXTLINK UTAH, L.L.C.)

DOCKET NO. 98-2208-01
REPORT AND ORDER

ISSUED: March 16, 1998

SYNOPSIS

The parties to the Agreement which is the subject of this proceeding having submitted the same for Commission approval; and the Agreement appearing to conform to applicable Utah law and Commission Regulations; and approval of the Agreement appearing to be in the public interest, the Commission approved the Agreement.

Appearances:

Thomas Dethlefs For U S West Communications, Inc.

By the Commission:

PROCEDURAL HISTORY

U S WEST COMMUNICATIONS, INC., and NEXTLINK UTAH, L.L.C., entered into a physical collocation agreement (hereafter "the Agreement") effective February 20, 1998. The parties filed the Agreement with the Commission January 8, 1998, for review and approval. The Administrative Law Judge, having reviewed said Agreement and having been fully advised in the matter, now enters the following Report, containing proposed Findings of Fact, Conclusions of Law, and the Order based thereon.

FINDINGS OF FACT

1. The Agreement provides for location of certain of NextLink Utah, L.L.C.'s ("NexLink") facilities and equipment to be located on premises owned and currently occupied by U S West Communication, Inc. ("USWC"). The Agreement will facilitate providing competitive services by NextLink.
2. The Agreement comports with applicable Utah law and this Commission's rules.
3. The United States Congress and the Utah Legislature having established the fostering of competition in the telecommunications industry as sound public policy, the Agreement is in the public interest, since it comports with such policy.
4. The Division of Public Utilities, Utah Department of Commerce, recommends approval of the Agreement.

CONCLUSIONS OF LAW

The Agreement should be approved.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

The Collocation Agreement between U S WEST COMMUNICATIONS, INC., and NEXTLINK UTAH, L.L.C., be and it hereby is, approved.

Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 16th day of March, 1998.

/s/ A. Robert Thurman
Administrative Law Judge

Approved and Confirmed this 16th day of March, 1998, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

(SEAL) /s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary