

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3390  
of Qwest Corporation, Denver, )  
Colorado, Filing Under Protest )  
of the Commercial Agreement with )  
DIECA Communications Inc., d/b/a ) APPROVED  
Covad Communications Company )  
Denver, Colorado, for provision )  
of Qwest Platform Plus Services. ) Entered: May 4, 2005

BY THE COMMISSION:

O P I N I O N   A N D   F I N D I N G S

On March 23, 2005, an application was filed by Qwest Corporation (Qwest) Denver, Colorado, with DIECA Communications Inc., d/b/a Covad Communications Company (DIECA) Denver, Colorado, filing under protest of the Commercial Agreement and for provision of Qwest Platform Plus Services (QPP). Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 29, 2005.

Qwest's filing of the Commercial QPP Agreement under protest is the result of the order entered by the Commission on January 4, 2005 in Application C-3255. Qwest objects to the Commission's conclusion that Commercial QPP agreements fall within the Commission's jurisdiction; however, reserving its rights, Qwest filed the agreement with the Commission.

The agreement does not discriminate against any telecommunications carrier that is not a party to the agreement. Furthermore, the implementation of the amendment is consistent with the public interest, convenience and necessity.

Section 252(e) of the Act requires this Commission to review negotiated interconnection agreements to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. Using those standards, the agreement filed should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application between Qwest Corporation and DIECA Communications Inc. d/b/a Covad Communications Company for Provision Qwest Platform Plus Service, be, and it is hereby, approved.

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IT IS FURTHER ORDERED that the executed interconnection agreement filed herein be, and it is hereby, made the official copy on file with the Nebraska Public Service Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 4th day of May, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Joseph J. Anderson*

*Ann C. Baugh*

*Frank E. Landis*

//s// Frank E. Landis

//s// Gerald L. Vap

Chairman

*Gerald L. Vap*

ATTEST:

*Jane Burdick*

Deputy Director