

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) Application No. C-3851  
Application of Qwest )  
Corporation, Denver, Colorado, )  
seeking approval of the Voice )  
over Internet Protocol (VoIP) ) APPROVED  
Amendment to the )  
Interconnection Agreement with )  
360networks (USA) Inc., )  
Seattle, Washington, )  
previously approved in Docket ) Entered: October 10, 2007  
C-3601.

BY THE COMMISSION:

By application filed August 20, 2007, Qwest Corporation (Qwest) of Denver, Colorado, seeks approval of a Voice over Internet Protocol (VoIP) Amendment to the Interconnection Agreement with 360networks (USA) Inc. (360networks), of Seattle, Washington, which was previously approved in Docket C-3601. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 22, 2007. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Pursuant to Section 252(a) of the Telecommunications Act of 1996 (the Act), Qwest and 360networks ("parties") entered into an interconnection agreement arrived at through voluntary negotiations and previously approved in Docket C-3601. The parties now wish to amend the agreement further through a VoIP Amendment. An executed copy of this amendment is contained within the application.

Section 252(e) of the Act requires this Commission to review interconnection agreements adopted by negotiation or arbitration to ensure they comply with Sections 251 and 252(d) of the Act, as well as all applicable state laws. While the Commission finds the amendment does not discriminate against any telecommunications carrier, the language in the negotiated amendment contains definitions, terms, characterizations and conclusions of law that the Commission does not specifically or tacitly endorse or approve. Further, we find the entry of this Order approving the negotiated agreement does not in any way limit the Commission's ability to interpret definitions, require terms, make characterizations and enter conclusions of law

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-3851

Page 2

in a manner different or contrary to those made in the negotiated agreement. In addition, approval of the amendment does not, either directly or indirectly, limit, supersede or suspend requirements that pertain to the Nebraska Telecommunications Universal Service Fund (NUSF) Act, Commission rules and regulations, or any Orders entered relative to the NUSF program; the Emergency Telephone Communications Systems Act and any obligations related to the remittance of the 911 surcharge, or the Telecommunications Relay System (TRS) Act or any obligations related to the remittance of the TRS surcharge.

Given the amendment was mutually negotiated by Qwest and 360networks (USA) Inc., in conjunction with the findings detailed above, the Commission finds implementation of the amendment is consistent with the public interest, convenience and necessity. Using those standards, the amendment should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the VoIP Amendment between Qwest Corporation, Denver, Colorado, and 360networks (USA) Inc., be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed Interconnection Amendment 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 10th day of October, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. Vay*

*Anne C. Boyle*

*Tim Schram*

//s// Rod Johnson  
//s// Frank E. Landis

Chairman

ATTEST:

*John Buvaris*  
Deputy Director