

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Sprint Spectrum, L.P./Qwest Corporation
Interconnection Agreement Amendment
Application**

Case No. PU-2517-01-150

ORDER APPROVING INTERCONNECTION AGREEMENT AMENDMENT

June 6, 2001

On April 2, 2001, Qwest filed an application for approval of Amendment No. 1 negotiated to its interconnection agreement with Sprint Spectrum, L.P. of Kansas City, MO. The amendment would incorporate terms and conditions into the original Type 2 Wireless interconnection agreement for Qwest's Single Point of Presence service offering as an alternative interconnection option.

The agreement was filed under Section 252(e) of the Telecommunications Act of 1996 (Act). The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under section 252(e)(2)(A), the Commission may only reject an agreement (or portion thereof) adopted by negotiation if it finds that:

1. the agreement (or portion thereof) discriminates against a telecommunications carrier that was not a party to the agreement;
2. the implementation of the agreement (or portion thereof) is not consistent with the public interest, convenience, and necessity.

In addition, the Commission may include in its review state requirements that do not constitute barriers to entry under section 253.

On April 11, 2001, the Commission issued a Notice of Opportunity to File Written Comments which provided that the Commission would receive written comments on the agreement until May 15, 2001. No comments have been received.

The Commission has reviewed the agreement and does not find that it discriminates against a telecommunications carrier that was not a party to the agreement. The Commission finds that implementation of the agreement is not inconsistent with the public interest, convenience and necessity.

Order

The Commission orders:

1. The interconnection agreement Amendment No. 1 negotiated between Qwest and Sprint Spectrum, L.P. filed with the Commission on April 2, 2001, is APPROVED.
2. The Commission retains continuing jurisdiction over the agreement at all times.

3. Notice of any changes to the agreement must be filed promptly with the Commission.

4. The agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.

PUBLIC SERVICE COMMISSION

Anthony T. Clark
Commissioner

Susan E. Wefald
President

Leo M. Reinbold
Commissioner