

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Joint) Application No. C-2237
Application of Pathnet, Inc. of)
Dallas, Texas, and US West Com-)
munications, Inc. of Denver,) AMENDMENT APPROVED
Colorado, seeking approval of)
the first amendment to their vol-)
untarily-negotiated interconnec-)
tion agreement.) Entered: April 5, 2000

BY THE COMMISSION:

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

On March 3, 2000, a joint application was filed by Pathnet, Inc. (Pathnet) of Dallas, Texas, and US West Communications, Inc. (US West) of Denver, Colorado, seeking approval of the first amendment to their voluntarily-negotiated interconnection agreement. Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 7, 2000. 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), Pathnet and US West entered into an interconnection agreement arrived at through voluntary negotiations. This agreement was approved by the Commission on January 19, 2000, pursuant to Application No. C-2180. In the current application, Pathnet and US West seek to amend the original agreement by incorporating language that was omitted from the original agreement. An executed copy of the amendment is contained within the application.

The amendment 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 amendment filed March 3, 2000, should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the first amendment to the voluntarily-negotiated

interconnection agreement between Pathnet, Inc. and US West Communications, Inc. be, and it is hereby, approved.

IT IS FURTHER ORDERED that the executed 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 5th day of April, 2000.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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