

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. C-2841
of Qwest Corporation of Denver,)
Colorado, and MCImetro Access)
Transmission Services, LLC, of)
Denver, Colorado, seeking) GRANTED
approval of a performance as-)
surance plan amendment to an)
interconnection agreement pre-)
viously approved in Application)
No. C-2257.) Entered: December 17, 2002

BY THE COMMISSION:

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

On November 13, 2002, a joint application was filed by Qwest Corporation (Qwest) of Denver, Colorado, and MCImetro Access Transmission Services, LLC, (MCImetro) of Denver, Colorado, seeking approval of a performance assurance plan amendment to an interconnection agreement previously approved in Application No. C-2257. Notice of the application was published in The Daily Record, Omaha, Nebraska, on November 14, 2002. 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 MCImetro entered into an interconnection agreement, which was approved by the Commission on April 11, 2000, in Application No. C-2257. In the current application, Qwest and MCImetro seek to amend the original agreement by adding terms, conditions for a Performance Assurance Plan.

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 November 13, 2002, should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the amendment to the interconnection agreement between Qwest Corporation and MCImetro Access Transmission Services, LLC, 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 17th day of December, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director