

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest ) Application No. C-3955  
Corporation, Denver, Colorado, )  
seeking approval of a Voice )  
over Internet Protocol ) APPROVED  
Amendment to the )  
Interconnection Agreement with )  
Bandwidth.com CLEC, LLC, Cary, )  
North Carolina. ) Entered: October 15, 2008

BY THE COMMISSION:

By application filed August 14, 2008, Qwest Corporation (Qwest), Denver, Colorado, seeks approval of a Voice over Internet Protocol (VoIP) Amendment to the Interconnection Agreement with Bandwidth.com CLEC, LLC (CLEC), Cary, North Carolina. Notice of the application was published in The Daily Record, Omaha, Nebraska, on August 18, 2008. 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 CLEC entered into an Interconnection Agreement arrived at through voluntary negotiations and previously granted in Docket C-3916. An executed copy of this agreement is contained within the application.

Neither the agreement nor any portion thereof discriminates against any telecommunications carrier. Furthermore, the implementation of the agreement is consistent with the public interest, convenience and necessity. However, the language in the negotiated amendment contains definitions, terms, characterizations and conclusions of law that the Commission does not specifically endorse or approve. Entry of an 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 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 Act, 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 Act or any obligations related to the remittance of the TRS surcharge.

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. Using those standards, the interconnection agreement should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Voice over Internet Protocol Amendment to the Interconnection Agreement between Qwest Corporation and Bandwidth.com CLEC, LLC, be, and it is hereby, approved.

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 15<sup>th</sup> day of October, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

  
Chair

ATTEST:



//s// Anne C. Boyle  
//s// Frank E. Landis

Executive Director