

The Commission met on **Thursday, April 14, 2005**, with Chair Koppendrayer and Commissioners Nickolai, Pugh and Reha present.

Comment [COMMENT1]: Minutes by Peter Brown. 4 motions were made.

TELECOMMUNICATIONS AGENDA

Deliberation Item

P-5321,421/IC-04-1178

**In the Matter of Qwest Corporation and MCImetro Access Transmission Services
Amendment to Interconnection Agreement**

Commissioner Nickolai moved that the Commission

1. adopt the Department's and Qwest's position that the Master Service Agreement does not require approval because it only contains non-251 network elements and only agreements containing Section 251 network elements are interconnection agreements subject to Commission approval under Section 252;
2. require that the six boilerplate provisions be filed as an amendment to the Qwest/MCI interconnection agreement; and
3. require that all future commercial agreements be submitted to the Commission and the Department for review simply to make sure the agreement is in fact a commercial agreement rather than an interconnection agreement (ICA) or an amendment to an ICA.

The motion passed 4-0.

Decision Items

Commissioner Pugh moved that the Commission take action regarding several dockets as follows:

P-6412,421/IC-05-350

**In the Matter of the Joint Application by The City of Windom and Qwest Corporation for
Approval of the Companies' Negotiated Agreement for Interconnection and Resale**

- accept the Department's recommendation to approve the interconnection agreement as modified by Qwest's filing of March 23, 2005;

P-421,5900/IC-05-380

In the Matter of the Joint Application by WH Link, LLC and Qwest Corporation for Approval of the Companies' Negotiated Agreement for Interconnection and Resale

- accept the Department's recommendation to approve the interconnection agreement as modified by Qwest's filing of March 23, 2005;

P-421,PT-6428/IC-05-296

In the Matter of the Joint Application by Vycera Communications, Inc. and Qwest Corporation for Approval of the Companies' Negotiated Agreement for Interconnection and Resale

- accept the Department's recommendation to approve the agreement including Qwest's March 14, 2005 revision;

P421,PT-6427/IC-05-250

In the Matter of the Joint application by eAcceleration Cor. and Qwest Corporation for approval of the Companies' resale agreement

- accept the Department's revised recommendation to approve the interconnection agreement as revised April 7, 2005; and

PT-6435,P-421/IC-05-371

In the Matter of the Joint application by Pipertel Communications, LLC and Qwest Corporation for approval of the Companies' negotiated agreement for interconnection and resale

- accept the Department's revised recommendation to accept the interconnection agreement as revised April 1, 2005.

The motion passed, 4-0.

P-421/CI-05-523

In the Matter of the Complaint of McLeodUSA Telecommunications Services, Inc. Against Qwest Corporation for Demand of Security Deposit

Pulled. Complaint was withdrawn prior to the meeting.

Meeting recessed and reconvened at 1:00 PM.

Oral Argument Items

P-5692,421/CI-04-804

In the Matter of a Commission Investigation Regarding the Status of the Commercial Line Sharing Agreement Between Qwest Corporation and DIECA Communications d/b/a Covad

Commissioner Reha moved that the Commission reconsider the Commission's September 27, 2003 Order on its own motion, to clarify a non-substantive item without oral argument.

The motion passed, 4-0.

Commissioner Reha moved that the Commission

1. deny Qwest's motion to reconsider the Commission's September 27, 2003 Order in this matter and,
2. on its own motion, reconsider that Order to change the wording of the September 27, 2003 Order to clarify that Qwest is required to "submit" to the Commission rather than "file" with the Commission the commercial agreements as described in the Order.

The motion passed, 4-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: APRIL 27, 2005

Burl W. Haar, Executive Secretary