



Agenda Date: 3/20/12
Agenda Item: IVB

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

TELECOMMUNICATIONS

IN THE MATTER OF THE JOINT APPLICATION OF)
UNITED TELEPHONE COMPANY OF NEW JERSEY,)
INC. D/B/A CENTURLINK AND BROADVOX-CLEC,)
LLC FOR APPROVAL OF AN OPT-IN OF A MASTER)
INTERCONNECTION, COLLOCATION AND RESALE)
AGREEMENT UNDER SECTION 252 OF THE)
TELECOMMUNICATIONS ACT OF 1996)

ORDER APPROVING
INTERCONNECTION
AGREEMENT

DOCKET NO. TO13010051

Parties of Record:

Zsuzsanna E. Benedek, Esq., for CenturyLink, Harrisburg, Pennsylvania
Kyle Bertrand, Vice President of Network Planning and Regulatory, for Broadvox-CLEC, Cleveland, Ohio
Stefanie A. Brand, Esq., Director for Division of Rate Counsel, Newark, New Jersey

BY THE BOARD:

By letter dated January 18, 2013, United Telephone Company of New Jersey, Inc. d/b/a CenturyLink ("CenturyLink"), and Broadvox-CLEC, LLC ("Broadvox"), (individually, a Party, and jointly, the Parties), pursuant to Section 252(e) of the Telecommunications Act of 1996, P.L. 104 104, 110 Stat. 56, (codified in scattered sections of 47 U.S.C. §151 et seq.) (the Act), submitted to the Board of Public Utilities (Board) a joint application (Application) for approval of an Opt-In of a Master Interconnection, Collocation and Resale Agreement, titled "Master Resale & Interconnection Agreements for the State of New Jersey." CenturyLink is an incumbent local exchange carrier (LEC) as defined by the Act with the duty to negotiate interconnection agreements pursuant to Section 252 of the Act. See 47 U.S.C. §251(c) and §251(h)(1).

Broadvox has exercised its rights under Section 252(i) of the Act to opt into an interconnection agreement previously approved by the Board between United and AT&T Communications of New Jersey.

The Agreement sets forth the terms, conditions and prices under which CenturyLink will offer and provide access to unbundled network elements, ancillary services, and wholesale telecommunications services available for resale to Broadvox. The Agreement is in effect until April 1, 2014, and thereafter as noted in the Agreement will continue to be in full force and effect unless terminated as provided in the Agreement.

Pursuant to 47 U.S.C. §252(a)(1), an incumbent LEC may negotiate and enter into a binding interconnection agreement with a carrier requesting interconnection, service or network elements. In addition, 47 U.S.C. §252(e)(1) requires approval by the Board of any interconnection agreement adopted by negotiation or arbitration, and further requires the Board to approve or reject the Agreement, with written findings as to any deficiencies. The Act provides that the Board may reject a negotiated agreement only if it finds that: (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity. [47 U.S.C. §252(e)(2)(A)].


The Board's review of the Agreement and the record in this matter indicates that the Agreement is consistent with the public interest, convenience and necessity, and that the Agreement does not discriminate against telecommunications carriers not parties to the Agreement. Therefore, the Board **FINDS** that the Agreement meets the standards set forth in the Act, and **HEREBY APPROVES** the Agreement as presented by the Parties. This approval should not be construed as preapproval of any future petitions for rate recovery of costs incurred pursuant to the Agreement, nor shall the Board be bound by any provisions within the Agreement including provisions regarding the confidentiality of information.


The Board notes that amendments or modifications to Board approved interconnection agreements are subject to Board review and approval. No agreement shall be read, nor does the Board believe the Parties to the Agreement intend that it be read, to limit the authority of the Board under Section 252(e) of the Act to review interconnection agreements. Accordingly, until and unless otherwise provided by the Board, subsequent amendments or modifications to the Agreement approved herein shall be subject to review and approval by the Board.

DATED: 3/20/13

BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT

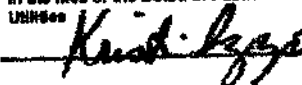

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities


IN THE MATTER OF THE JOINT APPLICATION OF UNITED TELEPHONE COMPANY OF
NEW JERSEY, INC. D/B/A CENTURYLINK AND BROADVOX-CLEC, LLC FOR APPROVAL
OF AN OPT-IN OF A MASTER INTERCONNECTION COLLOCATION AND RESALE
AGREEMENT UNDER SECTION 252 OF THE TELECOMMUNICATIONS ACT OF 1996

DOCKET NO. TO13010051

SERVICE LIST

Zsuzsanna E. Benedek, Esq.
United Telephone Company d/b/a CenturyLink
240 North Third Street, Suite 201
Harrisburg, Pennsylvania 17101

Jimarli Figueiredo
Board of Public Utilities
Division of Telecommunications
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

Stefanie A. Brand, Esq., Director
Christopher White, Esq.
Maria Novas-Ruiz, Esq.
Division of Rate Counsel
31 Clinton Street, 11th Floor
Post Office Box 46005
Newark, New Jersey 07101

Eva M. Serruto, Deputy Attorney General
Department of Law & Public Safety
Division of Law
124 Halsey Street
Post Office Box 45029
Newark, New Jersey 07101

Kyle Bertrand
Vice President of Network Planning and Regulatory
Broadvox-CLEC, LLC
75 Erieview Plaza, Suite 400
Cleveland, Ohio 44114