



April 25, 2013

Ms. Breanne Potter  
Asst Commission Secretary  
Public Utilities Commission of Nevada  
1150 East William Street  
Carson City, Nevada 89701-3109

Re: In re Joint Petition of Central Telephone Company dba CenturyLink  
and New Cingular Wireless PCS, LLC d/b/a Cingular Wireless for approval of the  
Amendment of the CMRS Interconnection Agreement for the State of Nevada Pursuant  
to Section 252 of the Telecommunications Act of 1996.

Dear Ms. Potter:

Enclosed for filing is a Joint Petition for Approval of the Amendment of the CMRS  
Interconnection Agreement for the State of Nevada under Section 252 of the Telecommunications  
Act of 1996 between Central Telephone Company dba CenturyLink ("CenturyLink") and New  
Cingular Wireless PCS, LLC d/b/a Cingular Wireless. CenturyLink and Cingular Wireless  
submit the Amendment for the Commission's approval pursuant to Section 252(e) of the  
Telecommunications Act of 1996.

Also enclosed is a draft notice, pursuant to NAC 703.162, which is not required to be published in  
the newspaper per NRS 704.6877. A check in the amount of \$200 is also enclosed to cover the  
filing fee.

If you have any questions, please contact me at (702) 244-7318. Thank you for your assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Linda Stinar".

Linda Stinar  
Director Regulatory Affairs

Enclosures

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

In re Joint Petition of Central Telephone )  
Company d/b/a CenturyLink and New )  
Cingular Wireless PCS, LLC d/b/a )  
Cingular Wireless for approval of the )  
Amendment of the CMRS Interconnection )  
Agreement for the State of Nevada )  
Pursuant to Section 252 of the )  
Telecommunications Act of 1996. )

Docket No. 13 -

)

**JOINT PETITION FOR APPROVAL OF THE AMENDMENT OF THE COMMERCIAL  
MOBILE RADIO SERVICES (CMRS) INTERCONNECTION AGREEMENT FOR THE  
STATE OF NEVADA UNDER SECTIONS 251 AND 252 OF THE  
TELECOMMUNICATIONS ACT OF 1996**

Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC d/b/a Cingular Wireless (collectively referred to as the “Parties”), hereby petition the Public Utilities Commission (“PUC” or “Commission”) for approval of the Amendment to the Commercial Mobile Radio Services (CMRS) Interconnection Agreement for the State of Nevada, attached hereto as Attachment A (the “Amendment”).

The Parties submit the Amendment for approval in accordance with the terms of Section 252(e) of the Telecommunications Act of 1996 (the “Act”). The Parties request that the Commission approve the Amendment in accordance with the requirements of Section 252(e) of the Act by determining that the grounds for rejection of such an Amendment set forth in Section 252 (e)(2)(A)(i) and Section 252 (e)(2)(A)(ii) of the Act are not applicable to the Amendment. With respect to Section 252(e) (2) of the Act, the Parties assert that the Amendment does not discriminate against any telecommunications carrier not a party to the Amendment. The implementation of the Amendment is consistent with the public interest, convenience, and necessity. The Agreement does not violate any requirement of the Commission.

The Parties respectfully request that the Commission expeditiously approve the Amendment consistent with the intent of the Act.

Dated this 25th day of April, 2013.

New Cingular Wireless PCS, LLC  
d/b/a Cingular Wireless

Central Telephone Company d/b/a  
CenturyLink

By: 

*for* William Brown  
Sr. Contract Manager  
1277 Lenox Park Blvd. NE  
Atlanta, GA 30319-6000

By: 

Linda C. Stinar  
Director Regulatory Affairs  
6700 Via Austi Parkway  
Las Vegas, Nevada 89119

# Attachment A

**ICC Bill and Keep Amendment**  
**to the**  
**Commercial Mobile Radio Services**  
**Interconnection Agreement**  
**between**  
**Pacific Bell Mobile Services, Inc.**  
**and**  
**Central Telephone Company d/b/a Sprint**

This Amendment ("Amendment") is entered into by Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC, and its Commercial Mobile Radio Service affiliates, d/b/a AT&T Mobility, as successor in interest to Pacific Bell Mobile Services, Inc., and amends the Commercial Mobile Radio Services Interconnection Agreement between Pacific Bell Mobile Services, Inc. and Central Telephone Company d/b/a Sprint.

**RECITALS**

WHEREAS, Pacific Bell Mobile Services, Inc. and Central Telephone Company d/b/a Sprint entered into a Commercial Mobile Radio Services Interconnection Agreement for service in the State of Nevada; and

WHEREAS, Central Telephone Company d/b/a CenturyLink ("CenturyLink") is the successor in interest to the Central Telephone Company d/b/a Sprint; and

WHEREAS, New Cingular Wireless PCS, LLC, and its Commercial Mobile Radio Service affiliates, d/b/a AT&T Mobility ("CMRS"), are the successors in interest to Pacific Bell Mobile Services, Inc.; and

WHEREAS, the Federal Communications Commission in Docket No. 01-92, *In the Matter of Developing an Unified Intercarrier Compensation Regime*, issued an order that changed the current state of applicable law with respect to, among other things, requirements surrounding the exchange of traffic between CMRS providers and LECs effective December 29, 2011 ("FCC Order" or "Order"); and

WHEREAS, CMRS has requested to amend the Commercial Mobile Radio Services Interconnection Agreement based on the FCC Order; and

WHEREAS, the Parties agree to amend the Commercial Mobile Radio Services Interconnection Agreement based on the FCC Order with the terms and conditions contained herein.

**AGREEMENT**

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

**Amendment Terms**

The Commercial Mobile Radio Services Interconnection Agreement is hereby amended by adding terms, conditions, and rates as set forth in this Amendment and Attachment 1, attached hereto and incorporated herein by this reference.

By signature on this Amendment, CMRS has elected to modify existing contract terms in order to implement the applicable provisions of the above mentioned FCC Order.

**Effective Date**

On December 14, 2011, CMRS requested to negotiate changes to its Commercial Mobile Radio Services Interconnection Agreement due to changes in law affecting reciprocal compensation. The Parties agree to implement the provisions of this Amendment effective July 1, 2012.

**Further Amendments**

Except as modified herein, the provisions of the Commercial Mobile Radio Services Interconnection Agreement shall remain in full force and effect. Except as provided in the Commercial Mobile Radio Services Interconnection Agreement, this Amendment may not be further amended or altered, and no waiver of any provision thereof shall be effective, except by written instrument executed by an authorized representative of both Parties.

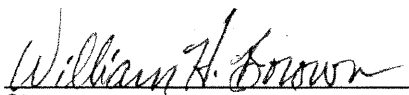
**Entire Agreement**

Other than the Commercial Mobile Radio Services Interconnection Agreement and its Amendments, CenturyLink and CMRS have no agreement or understanding, written or oral, relating to the terms and conditions for interconnection.

The Parties intending to be legally bound have executed this Amendment as of the dates set forth below, which may be in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

New Cingular Wireless PCS, LLC,  
and its  
Commercial Mobile Radio Service affiliates,  
d/b/a AT&T Mobility

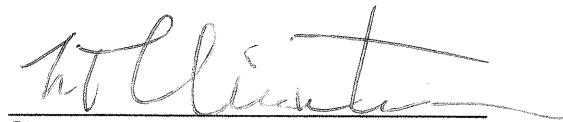
CenturyLink

  
Signature

William H. Brown  
Name Printed/Typed

Sr. Contract Manager  
Title

11/19/12  
Date

  
Signature

L. T. Christensen  
Name Printed/Typed

Director – Wholesale Contracts  
Title

11/18/12  
Date

## Attachment 1

Notwithstanding anything set forth in the Commercial Mobile Radio Services Interconnection Agreement to the contrary, the following terms and provisions shall govern the exchange of Non-Access Telecommunications Traffic, as defined in the Order, between the Parties.

### 1. General

- 1.1. Bill and Keep shall mean the originating Party has no obligation to pay terminating charges to the terminating Party.
- 1.2. Non-Access Telecommunications Traffic shall have the meaning set forth in 47 CFR §51.701(b) that is originated or terminated as wireless traffic by CMRS' end user.
- 1.3. All other terms not otherwise defined in this Amendment are as defined in the Commercial Mobile Radio Services Interconnection Agreement.

### 2. Intercarrier Compensation.

- 2.1 Bill and Keep shall apply to the exchange of Non-Access Telecommunications Traffic, solely when such traffic terminates to the end users of one of the Parties. This compensation arrangement shall supersede any previous usage-based terminating charges for End Office Call Termination, Tandem Switched Transport, Tandem Transmission charges and/or FCC – ISP Rate Caps listed in Exhibit A of the ICA, including but not limited to:
  - 2.1.1. End Office Switching, Tandem Switching and/or Common Transport charges; or
  - 2.1.2. Any “FCC Opt-In Compensation” or equivalent charges assessed in accordance with the interim rates previously prescribed pursuant to the *Order on Remand and Report and Order*, FCC 01-131, CC Dockets No. 96-98 and 99-68, adopted April 18, 2001 and subsequent orders of the FCC.
- 2.2. Notwithstanding anything in this Amendment or in the Commercial Mobile Radio Services Interconnection Agreement to the contrary, Bill and Keep shall not apply to the right of CenturyLink to be compensated for Transit Traffic that transits a CenturyLink Tandem. Such Transit Traffic shall be at the same rates that existed prior to this Amendment, and any adjustment to reciprocal compensation rate element(s) that are assessed by a Party for terminating Non-Access Telecommunications Traffic pursuant to the Order shall not apply for purposes of calculating the rate(s) to be charged by CenturyLink for providing a Transit Service.
3. CMRS agrees that it will only route traffic from its own wireless End User Customers (including wireless traffic of end user customers of CMRS's wireless roaming partners) to CenturyLink for termination to CenturyLink end user customers or as Transit Traffic destined for a third party. In the event CMRS routes any traffic from third parties to CenturyLink in violation of this paragraph, CenturyLink shall be entitled to seek injunctive relief and to recover damages, including without limitation, compensation for such traffic at the rate that is then applicable to intrastate or interstate access traffic, as appropriate.
4. The Parties understand and agree that, based on existing traffic patterns, no additional points of interconnection are required, but the Parties will work together in good faith to add additional points of interconnection if traffic patterns between the Parties change significantly from those existing as of the date of this Amendment.

5. Tandem Management.

- 5.1 When Transit Traffic originated by a third party is routed through a CenturyLink Tandem to CMRS, and the third party is not legally obligated to compensate CenturyLink for the Transit Service provided in transporting the traffic to CMRS as a result of paragraph 999 of the FCC Order, then CMRS, upon notice from CenturyLink (which notice will be given within a reasonable time after CenturyLink receives notice from any such third party) will either:
    - 5.1.1 Establish direct interconnection with such third party; or
    - 5.1.2 Pay the Transit charges for such traffic.
  - 5.2 Transit Service is provided by CenturyLink, as a local and Access Tandem Switch provider to the CMRS to enable the completion of calls originated by or terminated to end users of another Telecommunications Carrier which is connected to CenturyLink's Switches.
  - 5.3 Except as may be contemplated by Section 5.1 above, the originating company is responsible for payment of appropriate rates to the transit company and to the terminating company. The Parties agree that it is the originating Party's sole responsibility to enter into traffic exchange agreements with third party Telecommunications Carriers prior to delivering traffic to be transited to third party Telecommunications Carriers. In the event one Party originates traffic that transits the second Party's network to reach a third party Telecommunications Carrier with whom the originating Party does not have a traffic exchange agreement, then the originating Party will indemnify, defend and hold harmless the second Party against any and all charges levied by such third party Telecommunications Carrier, to the extent that the originating company is obligated to pay such charges to the terminating company, including any termination charges related to such traffic and any attorneys fees and expenses.
6. Reservation of Rights. Effective July 1, 2012, reciprocal compensation will be bill and keep, but notwithstanding anything in this Amendment or in the Commercial Mobile Radio Services Interconnection Agreement to the contrary, and notwithstanding the execution of this Amendment by the Parties, such bill and keep arrangement shall be in all respects subject to the provisions of any future stay, revision, reconsideration, change or modification of the Order by the FCC or a court of competent jurisdiction.
7. While the Parties expressly agree to the terms and provisions of this Amendment, the Parties disagree regarding certain interconnection obligations and each Party reserves its legal rights regarding interconnection obligations, and neither Party waives any such rights in future negotiations or arbitrations.



**PUBLIC UTILITIES COMMISSION OF NEVADA  
DRAFT NOTICE**

**(Per NRS 704.6877, this notice is not required to be published in the newspaper)**

Pursuant to Nevada Administrative Code (“NAC”) 703.162, the Commission requires that a draft notice be included with all applications, tariff filings, complaints and petitions. Please complete and include **ONE COPY** of this form with your filing. (Completion of this form may require the use of more than one page.)

**A title that generally describes the relief requested (see NAC 703.160(4)(a)):**

Joint Petition for approval of the Amendment of the CMRS Interconnection Agreement between Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC d/b/a Cingular Wireless for the State of Nevada under Section 252 of the Telecommunications Act of 1996.

**The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (see NAC 703.160(4)(b)):**

Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC d/b/a Cingular Wireless.

**A brief description of the purpose of the filing or proceeding, including, without limitation, a clear and concise introductory statement that summarizes the relief requested or the type of proceeding scheduled AND the effect of the relief or proceeding upon consumers (see NAC 703.160(4)(c)):**

Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC d/b/a Cingular Wireless submit an Amendment to the CMRS Interconnection Agreement for approval in accordance with the terms of Section 252(e) of the Telecommunications Act of 1996 (the “Act”). The implementation of the Amendment is consistent with the public interest, convenience, and necessity. The Amendment does not violate any requirement of the Commission.

**A statement indicating whether a consumer session is required to be held pursuant to Nevada Revised Statute (“NRS”) 704.069(1)1:**

No consumer session is required to be held.

**If the draft notice pertains to a tariff filing, please include the tariff number AND the section number(s) or schedule number(s) being revised.**

Not applicable.

1 NRS 704.069 states in pertinent part:

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to NRS 704.061 to 704.110 inclusive, in which:

- (a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and
- (b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant’s annual gross operating revenue, whichever is less.

## **CERTIFICATE OF SERVICE**

I hereby certify that I have on this 25th day of April 2013, served a copy of the Certificate of Service for the *Joint Petition for Approval of the Amendment of the CMRS Interconnection Agreement* for the State of Nevada under Section 252 of the Telecommunications Act of 1996, between Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC d/b/a Cingular Wireless upon all parties:

### **Via Hand Delivery:**

Ms. Breanne Potter (original)  
Asst Commission Secretary  
Public Utilities Commission of Nevada  
9075 West Diablo Drive Suite 250  
Las Vegas, Nevada 89148

**I hereby certify that I have this day served the foregoing documents upon the following parties by either postage pre-paid U.S. Mail or electronic mail to:**

Cingular Wireless  
William Brown  
Sr. Contract Manager  
1277 Lenox Park Blvd. NE  
Atlanta, GA 30319-6000  
[Wb9254@att.com](mailto:Wb9254@att.com)

Bureau of Consumer Protection  
Eric Witkoski  
555 E. Washington St., Suite 3900  
Las Vegas, NV 89101  
[bcpserve@ag.nv.gov](mailto:bcpserve@ag.nv.gov)

**I hereby certify that I have this day served Document Available Notice by electronic transmission or postage pre-paid U.S. Mail to an acceptable location to the list established pursuant to NAC 703.296:**

Janice Ono,  
Randy Brown  
AT&T Nevada  
645 East Plumb, Room C144  
Reno, NV 89520  
[janice.ono@att.com](mailto:janice.ono@att.com)  
[randy.brown@att.com](mailto:randy.brown@att.com)

Charlie Born  
Pam Pittenger  
Frontier Communications  
P.O. Box 340  
Elk Grove, CA 95759  
[charlie.born@ftr.com](mailto:charlie.born@ftr.com)  
[pam.pittenger@ftr.com](mailto:pam.pittenger@ftr.com)

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61 W. Mesquite Blvd.  
Mesquite, NV 89027  
[osterh@cuaccess.net](mailto:osterh@cuaccess.net)

Marilyn Ash  
Mpower Comm. Corp d/b/a  
US Telepacific  
620 3<sup>rd</sup> St.  
San Francisco, CA 94107  
[ashm@telepacific.com](mailto:ashm@telepacific.com)

Mark DiNunzio  
Cox Nevada Telecom, LLC  
1515 W. Deer Valley Rd.  
Phoenix, AZ 85027  
[mark.dinunzio@cox.com](mailto:mark.dinunzio@cox.com)

Margaret Tobias  
Tobias Law Office  
460 Pennsylvania Ave  
San Francisco, CA 94107  
[marg@tobiaslo.com](mailto:marg@tobiaslo.com)

Commercial Telephone Exchange, Inc.  
P.O. Box 11527  
Reno, NV 89510

Public Utilities Commission of Nevada  
[pucn.sc@puc.nv.gov](mailto:pucn.sc@puc.nv.gov)

**I hereby certify the foregoing documents are being made available for inspection at website Internet address:** <http://puc.nv.gov/> and [http://www.centurylink.com/wholesale/clec\\_nv.html](http://www.centurylink.com/wholesale/clec_nv.html).

**The foregoing documents are available in electronic format or paper format by sending a request to:**

Paper: Linda Stinar  
CenturyLink  
6700 Via Austi Pkwy  
Las Vegas, Nevada 891119

Electronic: [linda.c.stinar@centurylink.com](mailto:linda.c.stinar@centurylink.com)



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Linda Stinar, an employee of Central Telephone  
Company dba CenturyLink

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Joint Petition of Central Telephone Company d/b/a )  
CenturyLink and New Cingular Wireless PCS, LLC )  
d/b/a Cingular Wireless, and its Commercial Mobile )  
Radio Service (“CMRS”) affiliates, d/b/a AT&T )  
Mobility, as successor in interest to Pacific Bell )  
Mobile Services, Inc., for approval of an )  
Amendment to their CMRS Interconnection )  
Agreement pursuant to Section 252 of the )  
Telecommunications Act of 1996. )  
\_\_\_\_\_ )

Docket No. 13-04031

NOTICE OF JOINT PETITION FOR APPROVAL OF AN AMENDMENT TO AN  
INTERCONNECTION AGREEMENT BETWEEN TELECOMMUNICATION CARRIERS  
UNDER SECTION 252 OF THE TELECOMMUNICATIONS ACT  
AND  
NOTICE OF PENDENCY OF HEARING

Central Telephone Company d/b/a CenturyLink and New Cingular Wireless PCS, LLC  
d/b/a Cingular Wireless, and its CMRS affiliates, d/b/a AT&T Mobility, as successor in interest  
to Pacific Bell Mobile Services, Inc. (collectively, “Joint Petitioners”), filed with the Public  
Utilities Commission of Nevada (“Commission”) a Joint Petition, designated as Docket No. 13-  
04031, for approval of an Amendment to their CMRS Interconnection Agreement pursuant to  
Section 252 of the Telecommunications Act of 1996.

This Notice serves only to notify the public that the Commission has received the above-  
referenced filing. It is the responsibility of interested persons to review the filing and monitor  
the proceedings to determine their desired levels of involvement based on how this matter may  
affect their unique situations. The details provided within this Notice are for informational  
purposes only and are not meant to be an all-inclusive overview of the filing.

Interested and affected persons may obtain a copy of the Joint Petition from the  
Commission and may file comments pertaining to the Joint Petition at either of the  
Commission’s offices on or before WEDNESDAY, MAY 29, 2013. Any comments must be

| DOCUMENT REVIEW AND APPROVAL ROUTING                                               |                                  |
|------------------------------------------------------------------------------------|----------------------------------|
| DRAFTED BY: <u>MEI</u>                                                             |                                  |
| FINAL DRAFT ON <u>4</u> / <u>30</u> / <u>13</u> AT <u>4</u> : <u>30</u> <u>P</u> M |                                  |
| REVIEWED & APPROVED BY:                                                            | DATE                             |
| <input type="checkbox"/> ADMIN / ASST ( _____ ) _____                              | _____ / _____ / _____            |
| <input checked="" type="checkbox"/> COMM / COUNSEL <u>gan</u> _____                | <u>4</u> / <u>30</u> / <u>13</u> |
| <input type="checkbox"/> SECRETARY / ASST. SEC. _____                              | _____ / _____ / _____            |
| <input type="checkbox"/> OTHER ( _____ ) _____                                     | _____ / _____ / _____            |

simultaneously served on the Commission, the parties to the Agreement, the Regulatory Operations Staff of the Commission, and the Nevada Attorney General's Bureau of Consumer Protection. In response to the comments filed on or before WEDNESDAY, MAY 29, 2013, the Joint Petitioners may file reply comments and legal arguments on or before THURSDAY, JUNE 13, 2013.

The Commission has jurisdiction over this matter and legal authority to conduct proceedings pursuant to the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC"), Chapters 703 and 704, including but not limited to NRS 704.040 and 704.120, NAC 703.290, and 47 United States Code ("U.S.C.") §252(e).

NOTICE IS HEREBY GIVEN that a public HEARING in the above matter will be held as follows:

FRIDAY, JUNE 14, 2013  
1:30 P.M.  
Hearing Room B  
Public Utilities Commission of Nevada  
1150 East William Street  
Carson City, NV 89701

Pursuant to NRS 703.320, if the Commission does not receive any adverse comments regarding the Joint Petition or a request for a hearing by WEDNESDAY, MAY 29, 2013, the hearing will be cancelled.

Pursuant to 47 U.S.C. §252(e) and NRS 704.120, the Commission will receive evidence pertaining to the issues raised by filed comments and any responses by Joint Petitioners regarding any dispute over the terms and conditions of the Agreement.

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Pursuant to 47 U.S.C. §252(e)(2)(A), the Commission may only reject a negotiated agreement, or any portion thereof, if it finds that (i) the agreement discriminates against a telecommunications carrier not a party to the agreement; or (ii) the implementation of such agreement is not consistent with the public interest, convenience, and necessity.

At the hearing, the Commission may also consider issues related to the provisions of 47 U.S.C. §251 and 252 and Chapters 703 and 704 of the NRS and NAC, may discuss public comments, and may make decisions on the procedural issues raised at the hearing.

In accordance with NRS 704.6877 and NAC 703.290, this Joint Petition is available at the Commission's website at: <http://puc.nv.gov>.

By the Commission,



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BREANNE POTTER,  
Assistant Commission Secretary

Dated: Carson City, Nevada

5-1-13

(SEAL)

