

RECEIVED  
PUBLIC UTILITIES COMMISSION  
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September 19, 2016

Ms. Trisha Osborne  
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 d/b/a CenturyLink and  
XYN Communications, LLC for approval of the Interconnection, Collocation and  
Resale 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 Interconnection, Collocation and Resale Agreement for the State of Nevada pursuant to Section 252 of the Telecommunications Act of 1996 between Central Telephone Company d/b/a CenturyLink and XYN Communications, LLC the Agreement 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) 244-7150. Thank you for your assistance.

Very truly yours,

*Connie Dike*

Connie M. Dike  
Senior Analyst

Enclosures

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

In re Joint Petition of Central Telephone Company d/b/a CenturyLink and XYN Communications, LLC for approval of the Interconnection, Collocation and Resale Agreement for the State of Nevada Pursuant to Section 252 of the Telecommunications Act of 1996.

Docket No. \_\_\_\_\_

**JOINT PETITION FOR APPROVAL OF INTERCONNECTION, COLLOCATION AND  
RESALE 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 XYN Communications, LLC. (collectively referred to as the "Parties"), hereby petition the Public Utilities Commission (the "Commission") for approval of the Interconnection, Collocation and Resale Agreement for the State of Nevada, attached hereto as Attachment A (the "Agreement").


The Parties submit the Agreement 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 Agreement in accordance with the requirements of Section 252(e) of the Act by determining that the grounds for rejection of such Agreement set forth in Section 252 (e)(2)(A)(i) and Section 252 (e)(2)(A)(ii) of the Act are not applicable to the Agreement. With respect to Section 252(e) (2) of the Act, the Parties assert that the Agreement does not discriminate against any telecommunications carrier not a party to the Agreement. The implementation of the Agreement 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 Agreement consistent with the intent of the Act.

Dated this 19 day of September, 2016

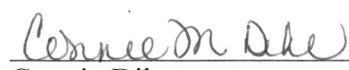
**XYN Communications, LLC.**

By: \_\_\_\_\_

  
Shawn Sims VP of Regulatory  
8275 S. Eastern Ave., Suite 200  
Las Vegas, Nevada 89.238  
Phone: 702-423-0010  
Email: shawn@xyncom.com

**Central Telephone Company  
d/b/a CenturyLink**

By: \_\_\_\_\_

  
Connie Dike  
6700 Via Austi Parkway  
Las Vegas, Nevada 89119



**Adoption of the  
Interconnection Agreement**

**By**

**XYN Communications, LLC**

**Adopting the  
Interconnection Agreement**

**Between**

**Central Telephone Company d/b/a CenturyLink**

**And**

**NuWave Communications, Inc.**

**For the State of Nevada**

### **Adoption of the Interconnection Agreement**

This Adoption of the Interconnection Agreement ("Agreement") is entered into by and between Central Telephone Company d/b/a CenturyLink ("CenturyLink") and XYN Communications, LLC ("CLEC"), each of which may be referred to herein as "Party", or collectively as "the Parties", to establish the terms, conditions and rates for local interconnection and the exchange of Local traffic for the State of Nevada.

**NOW THEREFORE**, the Parties agree as follows:

#### **1. ADOPTED AGREEMENT**

- 1.1 This Agreement between the Parties shall consist of the Interconnection Agreement entered into by and between Central Telephone Company d/b/a CenturyLink and NuWave Communications, Inc. that was approved by the Commission on November 19, 2015 ("Adopted Agreement").
- 1.2 This Agreement is made a part of and incorporates the terms and conditions of the Adopted Agreement, including all amendments to that Adopted Agreement (the "Terms").
- 1.3 Except as set forth herein, the Adopted Agreement remains unchanged and in full force and effect.

#### **2. PARTY**

For the purposes of this Agreement, CLEC is hereby substituted in the Adopted Agreement for NuWave Communications, Inc.

#### **3. PROVISIONS**

- 3.1 The Terms of the NuWave Communications, Inc. Agreement are being adopted in its entirety by CLEC pursuant to CLEC's statutory rights under Section 252(i). The filing and performance by CenturyLink of the Terms does not in any way constitute a waiver by CenturyLink of any position as to the Terms or a portion thereof, nor does it constitute a waiver by CenturyLink of any or all rights and remedies it may have to seek review of the Terms, or to seek review in any way of any provisions included in these Terms as a result of CLEC's 252(i) election.
- 3.2 Should CLEC attempt to apply the adopted Terms in a manner that conflicts with the provisions set forth herein, CenturyLink reserves its rights to seek appropriate legal and/or equitable relief.
- 3.3 CLEC understands that it is providing a representation and warrants that it is complying with all provisions of the Adopted Agreement as of the effective date of the adoption.

#### **4. EFFECTIVE DATE AND TERM**

- 4.1 This Agreement shall become effective on the date of Commission Approval ("Effective Date"); however the Parties may agree to implement the provisions of this Agreement upon execution by both Parties. However, the initiation of a new account, any new provision of service or obligation or any revision to currently existing services or obligations may take up to 60 days to accommodate any required initial processes.
- 4.2 In the event that the Parties currently have an existing Interconnection Agreement, this Agreement shall replace the existing Interconnection Agreement in its entirety beginning on the Effective Date. However, nothing relieves the Parties from fulfilling all obligations incurred under that prior Interconnection Agreement.
- 4.3 The expiration date of this Adoption Agreement shall be the same as the expiration date of the agreement that is being adopted, which is September 27, 2018.

#### **5. NOTICES**

Except as otherwise provided, all notices and communication hereunder will be deemed to have been duly given when made in writing and delivered in person or deposited in the U.S. mail, certified, postage paid, return receipt requested, and addressed as follows:

**To CenturyLink:**

CenturyLink  
Director Wholesale Contracts  
930 15th Street, 6th Floor  
Denver, CO 80202  
Phone: 303-672-2879  
Email: [intagree@centurylink.com](mailto:intagree@centurylink.com)

**With Copy to:**

CenturyLink Legal Department  
Wholesale Interconnection  
1801 California Street, 9th Floor  
Denver, CO 80202  
Phone: 303-383-6553  
Email: [legal.interconnection@centurylink.com](mailto:legal.interconnection@centurylink.com)

**To CLEC:**

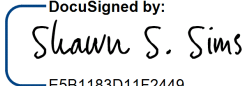
Mark Bunnell  
VP of Regulatory  
XYN Communications, LLC  
8924 Spanish Ridge Ave  
Las Vegas, Nevada 89148  
Phone: 702-423-4372  
Email: [mark@xyncom.com](mailto:mark@xyncom.com)

**6. REGULATORY REQUIREMENTS**


- 6.1 CLEC represents and warrants that it is authorized to provide telecommunications services in the State of Washington.
- 6.2 The Parties will cooperate to file this Agreement with the Commission for approval and complete all attendant requirements of the Commission for such approval.

**IN WITNESS WHEREOF**, CLEC and CenturyLink have caused this Agreement to be executed by their respective duly authorized representatives.

**XYN Communications, LLC**

DocuSigned by:  
  
E5B1183D11F2449...  
\_\_\_\_\_  
Signature  
  
Shawn S. Sims  
\_\_\_\_\_  
Printed Name  
  
SVP Government Affairs  
\_\_\_\_\_  
Title  
6/20/2016  
\_\_\_\_\_  
Date

**Central Telephone Company d/b/a CenturyLink**

DocuSigned by:  
  
766DEF6A149A455...  
\_\_\_\_\_  
Signature  
  
Diane Roth  
\_\_\_\_\_  
Printed Name  
  
Director – Wholesale  
\_\_\_\_\_  
Title  
6/21/2016  
\_\_\_\_\_  
Date

**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 Interconnection, collocation and resale agreement between Central Telephone Company d/b/a CenturyLink and XYN Communications, LLC for the State of Nevada under Sections 251 and 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 XYN Communications, LLC

**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 XYN Communications, LLC submit the Interconnection, Collocation and Resale 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 19<sup>th</sup> day of September 2016, served a copy of the Certificate of Service for the *Joint Petition for Approval of the Interconnection, Collocation and Resale Agreement* for the State of Nevada under Section 252 of the Telecommunications Act of 1996, between Central Telephone Company d/b/a CenturyLink and XYN Communications, LLC upon all parties:

### **Via Hand Delivery:**

Ms. Trisha Osborne (original)  
Assistant 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:**

Shawn Sims, VP President Regulatory  
XYN Communications, LLC  
8275 S. Eastern Avenue, Suite 200  
Las Vegas, NV 89238  
[shawn@xyncom.com](mailto:shawn@xyncom.com)

Eric Witkoski  
Bureau of Consumer Protection  
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  
David Collier  
AT&T Services, Inc.  
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)  
[david.collier@att.com](mailto:david.collier@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)

Harold Oster  
Rio Virgin d/b/a Reliance Connects  
61 W. Mesquite Blvd.  
Mesquite, NV 89027  
[Osterh@cuaccess.net](mailto:Osterh@cuaccess.net)

Dave Sered  
US Telepacific  
MPower Communications  
515 S. Flower Street, 45<sup>th</sup> Floor  
Los Angeles, CA 90071  
[dsered@telepacific.com](mailto:dsered@telepacific.com)

George Thomson  
Frontier Communications  
1800 41st St.  
Everett, WA 98201  
[george.thomson@ftr.com](mailto:george.thomson@ftr.com)

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

Teri Ohta  
T-Mobile West Corp dba T-Mobile  
12920 SE 38th St  
Bellevue, WA 98006  
[teri.ohta@t-mobile.com](mailto:teri.ohta@t-mobile.com)

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

Steve Tackes  
Kaempfer Crowell Law  
510 W. 4th St.  
Carson City, NV 89703  
[stackes@kcnvlaw.com](mailto:stackes@kcnvlaw.com)

**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: Connie Dike  
CenturyLink  
6700 Via Austi Pkwy  
Las Vegas, Nevada 89119

Electronic: [connie.m.dike@centurylink.com](mailto:connie.m.dike@centurylink.com)



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Connie Dike, an employee of Central Telephone  
Company d/b/a CenturyLink



BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Joint Petition of Central Telephone Company d/b/a	)	
CenturyLink and XYN Communications, LLC for	)	
approval of an Interconnection Agreement pursuant	)	Docket No. 16-09012
to Section 252 of the Telecommunications Act of	)	
1996.	)	
_____	)	

NOTICE OF JOINT PETITION FOR APPROVAL OF 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 XYN Communications, LLC  
(together, "Joint Petitioners") filed with the Public Utilities Commission of Nevada  
("Commission") a Joint Petition, designated as Docket No. 16-09012, for approval of an  
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 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, OCTOBER 19, 2016. Any comments must be 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, OCTOBER 19, 2016, the Joint Petitioners may file  
reply comments and legal arguments on or before THURSDAY, NOVEMBER 3, 2016.

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). The Commission will make a determination at an open meeting regarding whether to grant the relief requested, which may have an impact on consumers.

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

FRIDAY, NOVEMBER 4, 2016  
1:00 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, OCTOBER 19, 2016, 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.


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

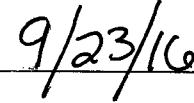
comments, and may make decisions on the procedural issues raised at the hearing.

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,

  
\_\_\_\_\_  
TRISHA OSBORNE,  
Assistant Commission Secretary

Dated: Carson City, Nevada

  
\_\_\_\_\_

(SEAL)

