**Section 731.420 Effect of Interconnection Agreements**

a) A Level 1 carrier may provide wholesale service that does not conform to its wholesale service quality plan to another carrier pursuant to an interconnection agreement, if subsections (a)(1) through (a)(4) are met:

1) the two carriers negotiated the interconnection agreement or an amendment to their interconnection agreement after September 1, 2004;

2) that interconnection agreement expressly references this Section;

3) that interconnection agreement sets forth how the standards and requirements contained in the Level 1 carrier's wholesale service quality plan do not apply to the carrier-signatories to the interconnection agreement; and

4) the changes in that agreement to the Level 1 carrier's wholesale service quality plan are not contrary to the public interest.

b) The standards and measures in this Subpart shall apply to: negotiated agreements or amendments to interconnection agreements effective after September 1, 2004; negotiated interconnection agreements that do not expressly reference this Section; and negotiated agreements that do not expressly amend any of the standards and requirements contained in this Subpart.