**Section 790.310 Interconnection for the Purpose of Transmitting and Routing of Either Exchange or Exchange Access Service**

Interconnection for the purpose of transmitting and routing of either exchange or exchange access service shall be in accordance with the provisions of the Federal Act.

a) Each ILEC has the duty to provide, for the facilities and equipment of any telecommunications carrier, interconnection with the ILEC's network:

1) For the transmission and routing of telephone exchange service and exchange access;

2) At any technically feasible points within the ILEC's network chosen by the requesting carrier; however, the ILEC may not require the requesting carrier to interconnect at more than one technically feasible point within a local access and transport area (LATA);

3) That is at least equal in quality to that provided by the ILEC to itself or to any subsidiary, affiliate, or any other party to which the ILEC provides interconnection; and

4) On rates, terms, and conditions that are just, reasonable, and nondiscriminatory, in accordance with the terms and conditions of an interconnection agreement, the requirements of sections 251 and 252 of the Federal Act, and this Subpart.

b) Methods of obtaining interconnection and access to unbundled network elements. An ILEC may not deny a telecommunications carrier's preferred method of interconnection for any reason other than technical feasibility as defined in this Part and by the FCC in 47 CFR 51.5. Technically feasible methods of obtaining interconnection or access to unbundled network elements include, at a minimum:

1) Physical and virtual collocation at the premises of an ILEC;

2) Adjacent collocation where space is legitimately exhausted in a particular ILEC premises; and

3) Meet-point interconnection arrangements.

c) Points of interconnection. Technically feasible points within the ILEC's network include, at a minimum:

1) The line-side of a local switch or remote terminal device;

2) The trunk-side of a local switch or remote terminal device;

3) The trunk interconnection points for a tandem switch;

4) Central office cross-connect point; out-of-band signaling transfer points necessary to exchange traffic at these points and access call-related databases; and

5) The points of access to unbundled network elements.

d) Interconnection of microwave technologies. ILECs shall accommodate interconnection of microwave technology, on the exterior and interior of ILEC premises, used for interconnection to, or for access to network elements of, the ILEC or a collocated carrier, unless the ILEC demonstrates to the Commission that it is not practical due to technical reasons or space limitations.

e) Locations of interconnection. Technically feasible locations of interconnection include, at a minimum:

1) Serving wire centers;

2) Host and remote end offices;

3) Tandem offices;

4) Controlled environmental vaults (includes cabinets and buildings); and

5) Any point within the ILEC loop plant (e.g., distributor-feeder interface, remote terminal).

f) Rejection of an interconnection request. An ILEC may not deny a telecommunications carrier's request to deploy a technology that is presumed acceptable for deployment unless the ILEC demonstrates to the Commission, through a petition filed on its own accord pursuant to 83 Ill. Adm. Code 200 or in a complaint proceeding initiated by the telecommunications carrier, that deployment of the particular technology is technically infeasible or will significantly degrade the performance of advanced services or traditional voice band services.

1) Upon the ILEC's rejection of a request for interconnection at a particular point, a particular method of interconnection, or particular collocation arrangement (collectively "interconnection request"), the telecommunications carrier may file a complaint with the Commission pursuant to 83 Ill. Adm. Code 200 or 83 Ill. Adm. Code 766, whichever is applicable. If the telecommunications carrier claims that such interconnection request has been previously successful on another ILEC network, the telecommunications carrier shall include in its complaint the name of the ILEC that was able to implement the interconnection request and a description of that interconnection request. An ILEC denying an interconnection request is not relieved by this Section of its responsibility to notify the Commission of the dispute and file for a waiver under Section 790.330(h).

2) If such interconnection request is contested, an ILEC that denies an interconnection request must prove to the Commission that the interconnection request is not technically feasible and/or will significantly degrade the performance of advanced services or traditional voice band services. Within seven business days after the telecommunications carrier's filing of a complaint, the ILEC shall file documentation fully supporting its contention that the interconnection request is not technically feasible and/or will significantly degrade the performance of advanced services or traditional voice band services. Other interested parties shall be allowed to intervene in the dispute in accordance with 83 Ill. Adm. Code 200 or 83 Ill. Adm. Code 766, whichever is applicable. For complaints filed under 83 Ill. Adm. Code 200, the Commission shall take all necessary actions to resolve any dispute under this subsection (f)(2) within 90 days after the filing of the complaint, unless such time period is waived by the telecommunications carrier. The schedule for the resolution of complaints filed under 83 Ill. Adm. Code 766 shall be as provided for in that Part.

3) In the course of resolving an interconnection dispute, the ILEC shall not refuse, on the basis of the pending proceeding, to enter into an interconnection agreement and/or true-up arrangement with the requesting telecommunications carrier. If requested by the telecommunications carrier, it and the ILEC shall enter into an interconnection agreement containing mutually agreeable language to be implemented during the resolution of the dispute. Upon resolution of the dispute, the interconnection agreement shall be amended, if necessary, consistent with the outcome of the dispute.

4) A previously successful interconnection request on any ILEC's network is substantial evidence that such interconnection request is technically feasible in the case of substantially similar network points or locations. A requesting telecommunications carrier seeking a particular collocation arrangement is entitled to a presumption that such arrangement is technically feasible if any LEC has deployed such collocation arrangement in any ILEC premises.

g) Methods of transport and termination. An interconnecting telecommunications carrier may require the use of one-way trunks to interconnect and transport unidirectional traffic. Traffic transported in both directions may be transported over one-way trunks or two-way trunks as agreed to by the interconnecting carriers in their interconnection agreement.