

## DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER REDFORD  
COMMISSIONER RAPER  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE**

**FROM: GRACE SEAMAN**

**DATE: APRIL 3, 2015**

**RE: QWEST CORPORATION DBA CENTURYLINK QC'S APPLICATION  
FOR APPROVAL OF THE BROADBAND RESALE SERVICE  
AGREEMENT WITH IONEX CORPORATION NORTH, INC DBA  
BIRCH COMMUNICATIONS; CASE NO. QWE-T-15-02.**

### BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996, interconnection agreements must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). The Commission may reject an agreement adopted by negotiations only if it finds that the agreement: (1) discriminates against a telecommunications carrier not a party to the agreement; or (2) implementation of the agreement is not consistent with the public interest, convenience and necessity. 47 U.S.C. § 252(e)(2)(A).

### CURRENT APPLICATION

On March 23, 2015, Qwest Corporation dba CenturyLink QC submitted an Application seeking Commission approval of the Broadband for Resale Master Service agreement with Ionex Corporation North, Inc. dba Birch Communications. This agreement specifies the description, terms, and conditions for resale of broadband services in Idaho.

### STAFF ANALYSIS

Staff has reviewed the Application and believes the agreement is consistent with the FCC orders and pro-competitive policies of this Commission, the Idaho Legislature, and the federal

Telecommunications Act. Accordingly, Staff recommends Commission approval of the Application for an Interconnection Agreement.

**COMMISSION DECISION**

Does the Commission wish to approve this Application?

  
\_\_\_\_\_  
Grace Seaman

udmemos/qwe-t-15-02