

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
TDS TELECOMMUNICATIONS)	CASE NO. POT-T-10-01
CORPORATION, AN AGENT FOR POTLATCH)	
TELEPHONE COMPANY, INC., FOR)	
APPROVAL OF ITS INTERCONNECTION)	
AGREEMENT WITH ALLIED WIRELESS)	
COMMUNICATIONS CORPORATION)	
PURSUANT TO 47 U.S.C. § 252(e))	
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IN THE MATTER OF THE APPLICATION OF)	
CENTURYTEL OF IDAHO, INC. DBA)	CASE NO. CEN-T-10-02
CENTURYLINK OF IDAHO FOR APPROVAL)	
OF ITS INTERCONNECTION AGREEMENT)	
WITH ALLIED WIRELESS)	
COMMUNICATIONS CORPORATION)	
PURSUANT TO 47 U.S.C. § 252(e))	
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IN THE MATTER OF THE APPLICATION OF)	
CENTURYTEL OF THE GEM STATE, INC.)	CASE NO. CGS-T-10-02
DBA CENTURYLINK OF THE GEM STATE)	
FOR APPROVAL OF ITS INTERCONNECTION)	
AGREEMENT WITH ALLIED WIRELESS)	
COMMUNICATIONS CORPORATION)	ORDER NO. 32055
PURSUANT TO 47 U.S.C. § 252(e))	

In this case the Commission is asked to approve Interconnection Agreements between TDS Telecommunications Corporation, an agent for Potlatch Telephone Company, Inc., and Allied Wireless; CenturyTel of Idaho, Inc. dba CenturyLink of Idaho and Allied Wireless Communications Corporation; and CenturyTel of the Gem State dba CenturyLink of the Gem State and Allied Wireless Communications Corporation. With this Order, the Commission approves the parties' Interconnection Agreements.

BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996, interconnection agreements, including amendments thereto, 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). As the Commission noted in Order No. 28427, companies voluntarily entering into interconnection agreements “may negotiate terms, prices and conditions that do not comply with either the FCC rules or with the provision of Section 251(b) or (c).” Order No. 28427 at 11 (emphasis in original). This comports with the FCC’s statement that “a state commission shall have authority to approve an interconnection agreement adopted by negotiation even if the terms of the agreement do not comply with the requirements of [Part 51].” 47 C.F.R. § 51.3.

THE APPLICATION

1. Potlatch Telephone Company, Inc. and Allied Wireless Communications Corporation, Case No. POT-T-10-01. On August 4, 2010, Potlatch submitted an Application seeking Commission approval of its Wireless Traffic Exchange Agreement with Allied Wireless. The parties ask the Commission to approve the parties’ adoption, in its entirety, of the Interconnection Agreement between Potlatch and U.S. Cellular Corporation, Case No. GNR-T-00-21. The Agreement the parties wish to adopt was previously approved by the Commission on September 1, 2000. *See* Order No. 28500.

2. CenturyTel of Idaho dba CenturyLink of Idaho and Allied Wireless Communications Corporation, Case No. CEN-T-10-02. On August 12, 2010, CenturyLink-Idaho and CenturyLink-Gem State filed their Interconnection and Reciprocal Compensation Agreement with Allied Wireless. Case Nos. CEN-T-10-02 and CGS-T-10-02 were assigned for each entity. The Agreement states that Allied will be adopting the Agreement between CenturyLink (f/k/a CenturyTel of the Gem State, Inc. and CenturyTel of Idaho, Inc.) and Verizon Wireless that was executed in 2004. The Agreement establishes the rates, terms and conditions of local interconnection and the exchange of local traffic for the state of Idaho.

3. CenturyTel of the Gem State dba CenturyLink of the Gem State and Allied Wireless Communications Corporation, Case No. CGS-T-10-02. On August 12, 2010, CenturyLink-Idaho and CenturyLink-Gem State filed their Interconnection and Reciprocal Compensation Agreement with Allied. Case Nos. CEN-T-10-02 and CGS-T-10-02 were assigned for each entity. The Agreement states that Allied will be adopting the Agreement between CenturyLink (f/k/a CenturyTel of the Gem State, Inc. and CenturyTel of Idaho, Inc.)

and Verizon Wireless that was executed in 2004. The Agreement establishes the rates, terms and conditions of local interconnection and the exchange of local traffic for the state of Idaho.

STAFF RECOMMENDATION

Staff reviewed the foregoing Applications and does not find any terms or conditions that it considers to be discriminatory or contrary to the public interest. Staff believes that the Agreements are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommended that the Commission approve the Interconnection Agreements.

COMMISSION DECISION

Under the terms of the Telecommunications Act, interconnection agreements, including amendments thereto, must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). However, the Commission's review is limited. The Commission may reject an agreement adopted by negotiation only if it finds that the agreement discriminates against a telecommunications carrier not a party to the agreement or implementation of the agreement is not consistent with the public interest, convenience and necessity. *Id.*

Based upon our review of the Applications and the Staff's recommendations, the Commission finds that the Agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the Agreements, reviewed by Staff and more fully described above, should be approved. Approval of the Agreements does not negate the responsibility of either party to these Agreements to obtain a Certificate of Public Convenience and Necessity if they are offering local exchange services or to comply with *Idaho Code* §§ 62-604 and 62-606 if they are providing other non-basic local telecommunications services as defined by *Idaho Code* § 62-603.

ORDER

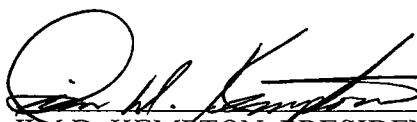
IT IS HEREBY ORDERED that the Interconnection Agreement between TDS Telecommunications Corporation, an agent for Potlatch Telephone Company, Inc., and Allied Wireless Communications Corporation, Case No. POT-T-10-01, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between CenturyTel of Idaho, Inc. dba CenturyLink of Idaho and Allied Wireless Communications Corporation, Case No. CEN-T-10-02, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between CenturyTel of the Gem State dba CenturyLink of the Gem State and Allied Wireless Communications Corporation, Case No. CGS-T-10-02, is approved.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* §§ 61-626 and 62-619.

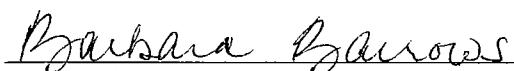
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 26th day of August 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Barbara Barrows
Assistant Commission Secretary

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