

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF CENTURYLINK OF THE GEM STATE,)	CASE NO. CGS-T-10-02
INC. DBA CENTURYLINK FOR APPROVAL)	
OF AMENDMENTS TO 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 CENTURYLINK OF IDAHO DBA)	CASE NO. CEN-T-10-02
CENTURYLINK FOR APPROVAL OF)	
AMENDMENTS TO 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 QWEST CORPORATION DBA)	CASE NO. QWE-T-01-27
CENTURYLINK QC FOR APPROVAL OF)	
AMENDMENTS TO ITS)	
INTERCONNECTION AGREEMENT WITH)	
T-MOBILE USA INC. FKA VOICESTREAM)	ORDER NO. 33058
WIRELESS CORPORATION FOR THE)	
STATE OF IDAHO PURSUANT TO 47 U.S.C.)	
§ 252(e))	

In these cases, the Commission is asked to approve amendments to previously approved Interconnection Agreements. With this Order, the Commission approves the amendments to the 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 APPLICATIONS

1. CenturyLink of the Gem State dba CenturyLink and Allied Wireless Communications Corporation, Case No. CGS-T-10-02. On May 30, 2014, CenturyLink of the Gem State submitted an Application for approval of amendments to its Interconnection Agreement with Allied. The parties’ original Interconnection Agreement was approved by the Commission on August 26, 2010. *See* Commission Order No. 32055.

With this Application, the parties seek to amend the terms, conditions, and rates of the Agreement to reflect the Federal Communications Commission’s ICC Bill and Keep requirements in Docket No. 01-92, *In the Matter of Developing a Unified Intercarrier Compensation Regime*.

2. CenturyLink of Idaho dba CenturyLink and Allied Wireless Communications Corporation, Case No. CEN-T-10-02. On May 30, 2014, CenturyLink of Idaho submitted an Application for approval of amendments to its Interconnection Agreement with Allied. The parties’ original Interconnection Agreement was approved by the Commission on August 26, 2010. *See* Commission Order No. 32055.

With this Application, the parties seek to amend the terms, conditions, and rates of the Agreement to reflect the Federal Communications Commission’s ICC Bill and Keep requirements in Docket No. 01-92, *In the Matter of Developing a Unified Intercarrier Compensation Regime*.

3. Qwest Corporation dba CenturyLink QC and T-Mobile USA, Inc., Case No. QWE-T-01-27. On May 30, 2014, CenturyLink submitted an Application for approval of amendments to its Interconnection Agreement with T-Mobile. The parties’ original Interconnection Agreement was approved by the Commission on February 28, 2002. *See* Commission Order No. 28965.

With this Application, the parties seek to amend the terms, conditions, and rates of the Agreement to reflect the Federal Communications Commission's ICC Bill and Keep requirements in Docket No. 01-92, *In the Matter of Developing a Unified Intercarrier Compensation Regime*.

STAFF RECOMMENDATION

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

COMMISSION FINDINGS

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 Staff's recommendations, the Commission finds that the amendments to the Interconnection Agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the amendments to 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 amendments to the Interconnection Agreement between CenturyLink of the Gem State, Inc. dba CenturyLink and Allied Wireless Communications Corporation, Case No. CGS-T-10-02, are approved.

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

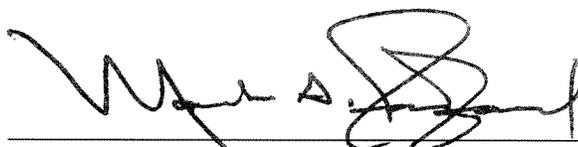
IT IS FURTHER ORDERED that the amendments to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and T-Mobile USA Inc. fka VoiceStream Wireless Corporation, Case No. QWE-T-01-27, are approved.

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 13th day of June 2014.



PAUL KJELLANDER, PRESIDENT

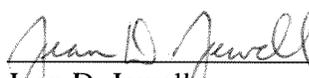


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O:CGS-T-10-02_CEN-T-10-02_QWE-T-01-27_np