

## DECISION MEMORANDUM

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

**FROM:** CAROLEE HALL

**DATE:** DECEMBER 20, 2013

**RE:** APPLICATION FOR AN INTERCONNECTION AGREEMENT  
BETWEEN CITIZENS TELECOMMUNICATIONS COMPANY OF  
IDAHO (“FRONTIER”) AND CTC TELECOM, INC. (“CTC”);  
CASE NO. CTC-T-13-05.

### BACKGROUND

Under the provision 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). 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.

### CURRENT APPLICATION

On December 18, 2013, this Commission received a joint Application from Frontier and CTC requesting approval to adopt the Interconnection Agreement between Frontier and Ednetics,

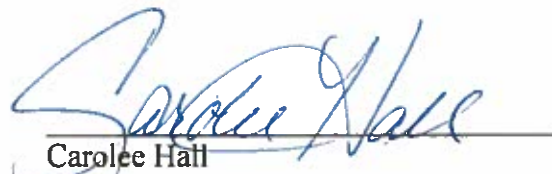
Inc. The Frontier – Ednetics, Inc. agreement was approved by this Commission in Case No. CTC-T-13-01.

### **STAFF ANALYSIS**

Staff has reviewed the Agreement and believes it is consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and Sections 251 of the federal Telecommunications Act of 1996. Accordingly, Staff recommends that the Interconnection Agreement merits this Commission’s approval.

### **COMMISSION DECISION**

Does the Commission agree?



Carolee Hall

i:\udmemos\interconnection agreements\CTC-T-13-05 Frontier and CTC adopting Frontier – Ednetics, Inc. Agreement