

DECISION MEMORANDUM

TO: COMMISSIONER KEMPTON
COMMISSIONER SMITH
COMMISSIONER REDFORD
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: GRACE SEAMAN

DATE: FEBRUARY 4, 2011

RE: FREMONT TELCOM'S APPLICATION FOR APPROVAL OF
NEGOTIATED AGREEMENT WITH ALLIED WIRELESS
COMMUNICATIONS CORPORATION; CASE NO. FRE-T-11-01.

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 January 20, 2011, Fremont Telcom Co. dba Fairpoint Communications (Fremont) submitted an Application for a negotiated agreement with Allied Wireless Communications Corporation. In this Application, the parties request that the Commission approve an agreement that includes terms and conditions for an interconnection and reciprocal compensation arrangement between the parties relating to the exchange of traffic.

STAFF ANALYSIS

Staff has reviewed the Application and does not find that any terms or conditions are discriminatory or contrary to the public interest. Staff believes the Application 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 Approval of Negotiated Agreement.

COMMISSION DECISION

Does the Commission wish to approve this Application?


Grace Seaman

i:udmemos/fre-t-11-01.doc