

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF PAGEDATA'S PETITION )  
 FOR ARBITRATION OF INTERCONNECTION ) CASE NO. GNR-T-04-5  
 RATES, TERMS AND CONDITIONS AND )  
 RELATED ARRANGEMENTS WITH QWEST )  
 CORPORATION PURSUANT TO SECTION 252(B) )  
 OF THE FEDERAL TELECOMMUNICATIONS )  
 ACT. )**

**IN THE MATTER OF WAVESENT LLC'S )  
 PETITION FOR ARBITRATION OF INTER- ) CASE NO. GNR-T-04-6  
 CONNECTION RATES, TERMS AND CONDI- )  
 TIONS AND RELATED ARRANGEMENTS WITH )  
 QWEST CORPORATION PURSUANT TO )  
 SECTION 252(B) OF THE FEDERAL )  
 TELECOMMUNICATIONS ACT. ) ORDER NO. 29477**

On March 23 and 25, 2004, PageData and WaveSent, respectively, filed Petitions for Arbitration requesting that the Commission arbitrate issues between the Companies and Qwest Corporation pursuant to Section 252(b) of the federal Telecommunications Act. The paging companies also indicated that they wish to adopt ("pick and choose") terms and conditions from other Interconnection Agreements previously approved by this Commission pursuant to Section 252(i). In Order No. 29463 issued April 2, 2004, the Commission consolidated the two Petitions into a single proceeding. The Order also required Qwest to file its consolidated response to the Petitions no later than April 16, 2004.

**AMENDMENT TO PETITIONS**

On April 12, 2004, PageData and WaveSent (hereinafter referred to as the "Pagers") amended their Petitions pursuant to Rule 66, IDAPA 31.01.01.066. The Pagers assert in their amendment that their existing "interconnection agreement[s] allow for the termination of [both] Internet and enhanced traffic." Amendment to Petition at 2. They further allege that Qwest was aware of their intention to terminate these types of traffic. *Id.* However, the Pagers acknowledge "there are no provisions in the current interconnection agreement to bill for reciprocal compensation for the termination of Internet and enhanced service traffic." *Id.* at 1.

Before the Commission embarks in arbitrating the 252(b) issues and reviewing the proposed “pick and choose” terms under 252(i), the Pagers request the Commission “first make a ruling on the current interconnection agreement[s] and whether” the agreements would allow reciprocal compensation for the termination of Internet traffic and enhanced services traffic. *Id.* at ¶ 4. If the Commission were to find that the present interconnection agreements do not allow the Pagers to terminate Internet and enhanced services traffic, then they seek to adopt “the Verizon ISP-bound traffic amendment, the dispute resolution clause, and the ASR ordering process clause” pursuant to Section 252(i). *Id.* at ¶ 11, p. 10. Attached to their amendment is a proposed interconnection agreement incorporating the requested 252(i) terms and conditions. *Id.* at 11; Pagers Exhibit F.

### **DISCUSSION**

Because the Pagers have amended their consolidated Petitions, we find that it is reasonable to postpone the initial date for Qwest to file its consolidated response to the Petitions. In Order No. 29463, the Commission directed Qwest to file its consolidated response no later than April 16, 2004. Given the recent amendment to the Pagers’ Petitions, we find it is reasonable for Qwest to now file its consolidated response no later than 21 days from the date of this Order.

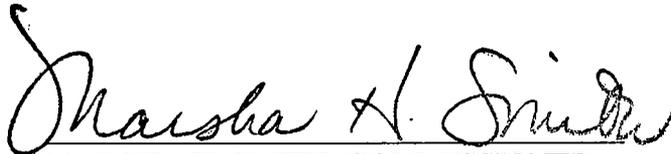
### **ORDER**

IT IS THEREFORE ORDERED that Qwest file its consolidated response to the two Petitions and the recent Amendment within 21 days of the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16<sup>th</sup>  
day of April 2004.



PAUL KJELLANDER, PRESIDENT



MARSHA H. SMITH, COMMISSIONER

Out of the Office this Date  
DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

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