

DECISION MEMORANDUM

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

FROM: GRACE SEAMAN

DATE: FEBRUARY 13, 2009

**RE: QWEST'S APPLICATION FOR AMENDMENT OF AN
INTERCONNECTION AGREEMENT: CASE NO. QWE-T-00-07.**

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 February 12, 2009, Qwest Corporation (Qwest) submitted an Application to amend an agreement with McLeodUSA Telecommunications Services, Inc. dba PAETEC Business Services (McLeod) approved by the Commission on November 9, 2000. In this Application, the parties request that the Commission approve an amendment to add terms, conditions, and rates pursuant to which McLeod will invoice Qwest for and Qwest will pay Wholesale Service Order Charges.

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.

COMMISSION DECISION

Does the Commission wish to approve this Application?



Grace Seaman

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