

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
QWEST CORPORATION DBA)	CASE NO. QWE-T-01-01
CENTURYLINK QC FOR APPROVAL OF)	
AMENDMENTS TO ITS INTERCONNECTION)	
AGREEMENT WITH WASHINGTON RSA NO.)	
8 LP C/O INLAND CELLULAR PURSUANT TO)	
47 U.S.C. § 252(e))	
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IN THE MATTER OF THE APPLICATION OF)	
TDS TELECOMMUNICATIONS)	CASE NO. GNR-T-00-21
CORPORATION FOR APPROVAL OF)	
AMENDMENTS TO ITS INTERCONNECTION)	
AGREEMENT WITH UNITED STATES)	ORDER NO. 32712
CELLULAR CORPORATION PURSUANT TO)	
47 U.S.C. § 252(e))	
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In these cases, the Commission is asked to approve amendments to the 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 (“the Act”), 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. Qwest Corporation dba CenturyLink QC and Washington RSA No. 8 LP c/o Inland Celullar, Case No. QWE-T-01-01. On December 17, 2012, CenturyLink submitted an Application for approval of Amendments to its Interconnection Agreement with Washington RSA, previously approved by the Commission on February 27, 2001. *See* Order No. 28656. In the Application, CenturyLink states that the amendments are in compliance with the recent Federal Communication Commission's (FCC) Order establishing obligations with respect to the exchange of traffic between telecommunications carriers. *See* FCC Docket No. 01-92. The general terms and conditions are set forth in Attachment 1 to the parties' Agreement.

2. TDS Telecommunications Corporation and United States Cellular Corporation, Case No. GNR-T-00-21. On December 17, 2012, TDS submitted an Application for approval of amendments to its existing Interconnection Agreement with USSC, a Commercial Mobile Radio Service (CMRS) provider, previously approved by the Commission on September 1, 2000. *See* Order No. 28500.

STAFF RECOMMENDATION

Staff reviewed the Applications and does 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 recommends that the Commission approve the 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 the Staff's recommendation, the Commission finds that the amendments to the Agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the

amendments to the Agreements 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 Qwest Corporation dba CenturyLink QC and Washington RSA No. 8 LP c/o Inland Cellular, Case No. QWE-T-01-01, are approved.

IT IS FURTHER ORDERED that the amendments to the Interconnection Agreement between TDS Telecommunications Corporation and United States Cellular Corporation, Case No. GNR-T-00-21, 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.

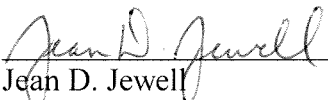
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9th
day of January 2013.


PAUL KJELLANDER, PRESIDENT


MACK A. REDFORD, COMMISSIONER


MARSHA H. SMITH, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary
O:QWE-T-01-01_GNR-T-00-21_np