

## **DECISION MEMORANDUM**

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

**FROM:       GRACE SEAMAN**

**DATE:       OCTOBER 31, 2008**

**RE:         QWEST'S APPLICATION TO AMEND AN INTERCONNECTION  
AGREEMENT: CASE NO. QWE-T-02-8.**

### **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 October 31, 2008, Qwest Corporation (Qwest) submitted an Application to amend an existing agreement with Level 3 Communications, LLC that was approved by the Commission on January 13, 2004. In this Application, the parties request that the Commission approve an amendment to incorporate Triennial Review Order (TRO) and Triennial Review Remand Order (TRRO) to the existing agreement.

### **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 Amendment to the Interconnection Agreement.

**COMMISSION DECISION**

Does the Commission wish to approve this Application?

  
Grace Seaman  
Grace Seaman

i:udmemos/qwet02.8amend