

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL
WORKING FILE

FROM: WAYNE HART

DATE: SEPTEMBER 10, 2004

RE: STAFF REVIEW OF INTERCONNECTION AGREEMENTS AND
AMENDMENTS: CASE NOS. USW-T-99-3; QWE-T-01-27; QWE-T-03-27;
QWE-T-04-3.

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).

THE CURRENT APPLICATIONS

1. Qwest and Covad Communications Company (Case No. USW-T-99-3). This is an Amendment to an existing agreement that provides terms and conditions for Line Sharing provided on a commercial basis. This is essentially the same Amendment approved by the Commission in Order No. 29530, but this version now includes an additional attachment including provisions to include line sharing under the Performance Assurance Plan.

2. Qwest and T-Mobile USA (Case No. QWE-T-01-27). This is an amendment to an existing agreement (T-Mobile USA fka Voicestream Wireless Corporation) adding terms for a Single Point of Presence (SPOP).

3. Qwest and Robert Ryder dba Radio Paging Service (Case No. QWE-T-03-27). This is an amendment to an existing interconnection agreement providing terms for Transit traffic. The agreement appears to be consistent with Order No. 29555, issued by the Commission in the pager cases (SUP-T-02-01).

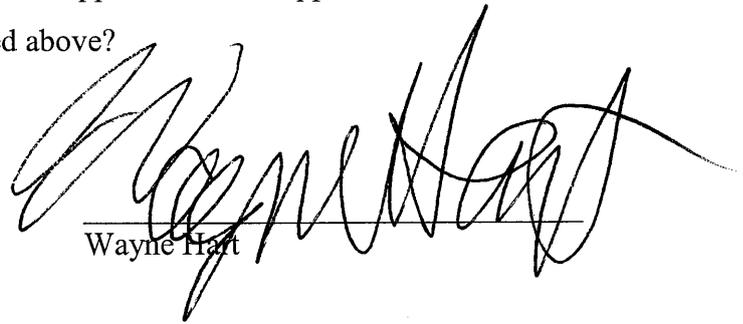
4. Qwest Corporation and Granite Telecommunications LLC (Case No. QWE-T-04-3). This application seeks approval of an amendment to an existing interconnection agreement. The Amendment adds terms for the implementation of a batch hot cut procedure and eliminates the UNE-P product, in accordance with the DC Circuit Court's decision in USTA v. FCC, 359 F.3d 554.

STAFF ANALYSIS

Staff has reviewed all of these Applications and did not find any terms and conditions that it considers to be discriminatory or contrary to the public interest. Staff believes that these Amendments are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff believes that these Amendments to previously approved interconnection agreements merit the Commission's approval.

COMMISSION DECISION

Does the Commission wish to approve the Applications for Approval of the Interconnection Agreement Amendments listed above?



Wayne Hart

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