

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND) CASE NO. USW-T-99-30
MULTIBAND COMMUNICATIONS, LLC)
FOR APPROVAL OF AN AMENDMENT TO)
AN EXISTING INTERCONNECTION)
AGREEMENT PURSUANT TO 47 U.S.C. §)
252(e))**

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND NEW) CASE NO. QWE-T-02-20
EDGE NETWORKS, INC. FOR APPROVAL)
OF AN AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND) CASE NO. QWE-T-04-13
ORBITCOM, INC. FOR APPROVAL OF AN)
AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND IDT) CASE NO. QWE-T-04-18
AMERICA, CORP. FOR APPROVAL OF AN)
AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND SBC) CASE NO. QWE-T-04-21
LONG DISTANCE, INC. FKA)
SOUTHWESTERN BELL)
COMMUNICATIONS SERVICES FOR)
APPROVAL OF AN AMENDMENT TO AN)
EXISTING INTERCONNECTION) ORDER NO. 29985
AGREEMENT PURSUANT TO 47 U.S.C. §)
252(e))**

IN THE MATTER OF THE APPLICATION)
 OF QWEST CORPORATION AND) CASE NO. QWE-T-05-6
 PIPELTEL COMMUNICATIONS, LLC FOR)
 APPROVAL OF AN AMENDMENT TO AN)
 EXISTING INTERCONNECTION)
 AGREEMENT PURSUANT TO 47 U.S.C. §)
 252(e))

IN THE MATTER OF THE APPLICATION)
 OF VERIZON NORTHWEST INC. AND) CASE NO. VZN-T-04-4
 AIRPEAK COMMUNICATIONS, LLC DBA)
 NEVADA WIRELESS FOR APPROVAL OF)
 AN AMENDMENT TO AN EXISTING)
 INTERCONNECTION AGREEMENT)
 PURSUANT TO 47 U.S.C. § 252(e))

In these cases, the Commission is asked to approve amendments to existing and previously approved Interconnection Agreements. With this Order the Commission approves the amendments to Agreements as set forth below.

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). 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 CURRENT APPLICATIONS

1. Qwest Corporation and Multiband Communications, LLC (Case No. USW-T-99-30). This Application seeks approval of the Triennial Review Order and Triennial Review

Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

2. Qwest Corporation and New Edge Networks, Inc. (Case No. QWE-T-02-20).

There are two amendments to a previously approved agreement for this case. The first amendment provides terms for Qwest Digital Subscriber Line (DSL). The second is the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

3. Qwest Corporation and OrbitCom, Inc. (Case No. QWE-T-04-13).

This Application seeks approval of an amendment to a previously approved agreement. This amendment provides terms for Qwest Digital Subscriber Line (DSL).

4. Qwest Corporation and IDT America, Corp. (Case No. QWE-T-04-18).

This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

5. Qwest Corporation and SBC Long Distance, Inc. fka Southwestern Bell

Communications Services (Case No. QWE-T-04-21). This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

6. Qwest Corporation and PiperTel Communications, LLC (Case No. QWE-T-05-6).

This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

7. Verizon Northwest Inc. and Airpeak Communications, LLC dba Nevada Wireless

(Case No. VZN-T-04-4). This is an amendment to an existing agreement providing terms for wireless 911/E911 services.

STAFF RECOMMENDATION

Staff has 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 Applications are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff recommended Commission approval of the amendments to the Agreements.

COMMISSION DECISION

Under the terms of the Telecommunications Act, interconnection agreements must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). 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 Agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the Agreements should be approved. However, approval of these Agreements does not negate the responsibility of either of the parties 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 amended Interconnection Agreement of Qwest Corporation and Multiband Communications, LLC, Case No. USW-T-99-30, is approved.

IT IS FURTHER ORDERED that the amended Interconnection Agreement of Qwest Corporation and New Edge Networks, Inc., Case No. QWE-T-02-20, is approved.

IT IS FURTHER ORDERED that the amended Interconnection Agreement of Qwest Corporation and OrbitCom, Inc., Case No. QWE-T-04-13, is approved.

IT IS FURTHER ORDERED that the amended Interconnection Agreement of Qwest Corporation and IDT America, Corp., Case No. QWE-T-04-18, is approved.

IT IS FURTHER ORDERED that the amended Interconnection Agreement of Qwest Corporation and SBC Long Distance, Inc. fka Southwestern Bell Communications Services, Case No. QWE-T-04-21, is approved.

IT IS FURTHER ORDERED that the amended Interconnection Agreement of Qwest Corporation and PiperTel Communications, LLC, Case No. QWE-T-05-6, is approved.

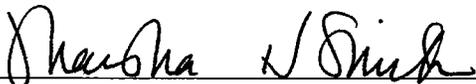
IT IS FURTHER ORDERED that the amended Interconnection Agreement of Verizon Northwest Inc. and Airpeak Communications, LLC dba Nevada Wireless, Case No. VZN-T-04-4, is approved.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in 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.*

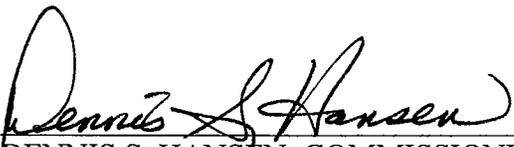
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th day of March 2006.



PAUL KJELLANDER, PRESIDENT

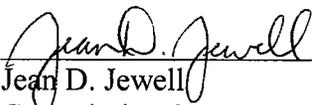


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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