

## DECISION MEMORANDUM

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

**FROM:** GRACE SEAMAN

**DATE:** JUNE 19, 2007

**RE:** STAFF REVIEW OF INTERCONNECTION AGREEMENTS: CASE  
NOS. QWE-T-02-01; QWE-T-02-12 AND QWE-T-04-19.

### 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 APPLICATIONS

On June 14, 2007, the Commission received three Applications for approval of amendment to the interconnection agreements. The Applications are discussed in greater detail below.

1. Qwest Corporation and Comtel Telcom Assets LP dba Vartec Telecom (Case No. QWE-T-02-01). In this filing, the parties request to amend an existing agreement approved by the Commission on August 22, 2002. The amendment incorporates payment terms in accordance with the Stipulation and Order as approved by the United States Bankruptcy Court for the District of Northern Texas, Dallas Division in Case No. 04-81694-HDH-11.

2. Qwest Corporation and Comtel Telcom Assets LP dba Excel Telecommunications (Case No. QWE-T-02-12). In this case, the parties request to amend an existing agreement approved by the Commission on August 22, 2002. The amendment incorporates the same payment terms as outlined above in Case No. QWE-T-02-01.

3. Qwest Corporation and Lightyear Network Solutions LLC (Case No. QWE-T-04-19). In this Application, the parties request to amend an existing agreement approved by the Commission on August 2, 2004. The amendment incorporates the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO).

### **STAFF ANALYSIS**

Staff has reviewed the Applications and does not find that any terms or conditions are discriminatory or contrary to the public interest. Staff believes that the Applications are 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 Applications for Approval of Amendment to the Interconnection Agreements.

### **COMMISSION DECISION**

Does the Commission wish to approve these Applications?

  
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Grace Seaman

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