

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF QWEST CORPORATION AND QWEST)	CASE NO. QWE-T-04-23
COMMUNICATIONS CORPORATION FOR)	
APPROVAL OF AN AMENDMENT TO AN)	
EXISTING INTERCONNECTION)	
AGREEMENT PURSUANT TO 47 U.S.C. §)	
252(e))	
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IN THE MATTER OF THE APPLICATION)	
OF CITIZENS TELECOMMUNICATIONS)	CASE NO. CTC-T-07-05
COMPANY OF IDAHO FOR APPROVAL OF)	
AN INTERCONNECTION AGREEMENT)	
WITH VERIZON WIRELESS PURSUANT)	
TO 47 U.S.C. § 252(e))	
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IN THE MATTER OF THE APPLICATION)	
OF QWEST CORPORATION AND)	CASE NO. USW-T-00-21
ELECTRIC LIGHTWAVE, INC. FOR)	
APPROVAL OF AN AMENDMENT TO AN)	
EXISTING INTERCONNECTION)	
AGREEMENT PURSUANT TO 47 U.S.C. §)	ORDER NO. 30468
252(e))	

In these consolidated cases the Commission is asked to approve an interconnection agreement and amendments to interconnection agreements between the parties listed above. With this Order, the Commission approves these agreements.

BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996, 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 CURRENT APPLICATIONS

1. Qwest Corporation and Qwest Communications Corporation, Case No. QWE-T-04-23. In this Application, the parties seek the Commission's approval of an amendment to their interconnection agreement. The amendment adds terms, conditions and rates for the exchange of Voice over Internet Protocol (VOIP) traffic. VOIP traffic is defined in Attachment 1 of the amendment. The parties agreed to the amendment through voluntary negotiations and without mediation or arbitration.

2. Citizens Telecommunications Company of Idaho and Verizon Wireless, Case No. CTC-T-07-05. In this Application, the parties seek the Commission's approval of their interconnection agreement. The parties have reached an agreement that includes terms and conditions for interconnection and traffic exchange for cellular and other two-way mobile radio services. The parties reached their agreement through voluntary negotiations and without mediation or arbitration.

3. Qwest Corporation and Electric Lightwave, Inc., Case No. USW-T-00-21. In this Application, the parties seek the Commission's approval of an amendment to their interconnection agreement. The Company's filing states that the amendment would provide for the inclusion of the Performance Assurance Plan (PAP) and Performance Indicator Definitions (PIDs) contained in Qwest's Statement of Generally Available Terms and Conditions (SGAT). The PIDs and PAP provide terms and conditions for wholesale agreements between Qwest, the incumbent local exchange carrier (ILEC), and competitive local exchange carriers (CLEC), while providing meaningful and significant incentives to ensure Qwest provides service to its competitors at parity with the service it provides to itself. The parties agreed to the amendment through voluntary negotiations and without mediation or arbitration.

STAFF RECOMMENDATION

The Staff reviewed the Applications and did not find any terms or conditions that it considered to be discriminatory or contrary to the public interest. Staff believes that the agreement and amendments are consistent with the pro-competitive policies of this Commission,

the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommended that the Commission approve the aforementioned Applications.

COMMISSION DECISION

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). The Commission's review is limited, however. 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. 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

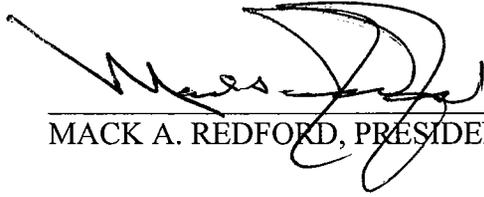
IT IS HEREBY ORDERED that the amendment to the interconnection agreement between Qwest Corporation and Qwest Communications Corporation, Case No. QWE-T-04-23, is approved.

IT IS FURTHER ORDERED that the interconnection agreement between Citizens Telecommunications Company of Idaho and Verizon Wireless, Case No. CTC-T-07-05, is approved.

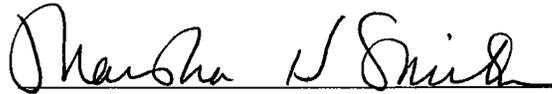
IT IS FURTHER ORDERED that the amendment to the interconnection agreement between Qwest Corporation and Electric Lightwave, Inc., Case No. USW-T-00-21, is approved.

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 26th
day of November 2007.



MACK A. REDFORD, PRESIDENT

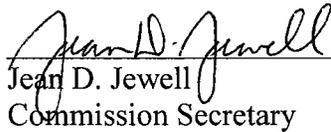


MARSHA H. SMITH, COMMISSIONER



JIM KEMPTON, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O:QWE-T-04-23_CTC-T-07-05_USW-T-00-21_np