

DECISION MEMORANDUM

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

FROM: GRACE SEAMAN

DATE: DECEMBER 20, 2005

RE: QWEST CORPORATION'S APPLICATION FOR AN AMENDMENT TO
THE INTERCONNECTION AGREEMENT: CASE NO. QWE-T-05-3.

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 APPLICATION

The Application for Approval of Amendment to the Agreement between Qwest Corp. and VCI Company was submitted on December 16, 2005 and seeks approval to amend the agreement approved by the Commission on May 5, 2005. This Application amends the original agreement by deleting and replacing Section 5.4.5.

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 that the Application is consistent with the recent FCC orders and pro-competitive policies of this Commission, the Idaho

Legislature, and the federal Telecommunications Act. Accordingly, Staff recommends Commission approval of the amendments.

COMMISSION DECISION

Does the Commission wish to approve the Amendment to the Interconnection Agreement?



Grace Seaman

dmemos/qweto5.3 amendment