

## DECISION MEMORANDUM

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

**FROM:** WAYNE HART

**DATE:** APRIL 29, 2005

**RE:** STAFF REVIEW OF INTERCONNECTION AGREEMENTS AND  
AMENDMENTS: CASE NOS. USW-T-98-22; QWE-T-05-3; QWE-T-05-4;  
QWE-T-05-5; QWE-T-05-6; AND QWE-T-05-9.

### 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 Advanced Telcom, Inc. (Case No. USW-T-98-22). This is an Application for approval of an amendment to an existing agreement. The amendment provided for the Elimination of UNE-P and Implementation of Batch Hot Cut Process and Discounts. This is essentially the same amendment previously approved by the Commission in Order No. 29580. This amendment is a complement to the Master Services Agreement between the companies which Qwest filed for informational purposes, and which was subsequently jointly filed by Advanced Telcom and Eschelon as an interconnection agreement. Staff will address this subsequent joint filing at a later date, and is at this time recommending approval of only the amendment filed by Qwest and Advanced Telcom on February 4, 2005.

2. Qwest and VCI Company (Case No. QWE-T-05-3). This is an Application to adopt the previously approved agreement between Qwest and 1-800 Reconex, Inc.
  
3. Qwest and Vycera Communications, Inc. (Case No. QWE-T-05-4). This is an Application to adopt a new agreement. The agreement is based upon Qwest's 14 State Negotiation Template, which basically follows Qwest's SGAT as changed by Qwest in accordance with its interpretation of the FCC's Triennial Review Order (TRO).
  
4. Qwest and Metropolitan Telecommunications of Idaho, Inc. (Case No. QWE-T-05-5). This is an agreement to adopt the previously approved agreement between Qwest and Sprint Communications LP, as well as two amendments to that agreement. The amendments provide terms for elimination of UNE-P and the implementation of batch hot cut processes and discounts in accordance with the TRO, and the TRO/USTA II amendment, which addresses other changes that were included in the TRO.
  
5. Qwest Corporation and Pipertel Communications, LLC. (Case No. QWE-T-05-6). This is an Application to adopt a new agreement. The agreement is based upon Qwest's 14 State Negotiation Template, which basically follows Qwest's SGAT as changed by Qwest in accordance with its interpretation of the FCC's TRO.
  
6. Qwest and Trans National Communications International, Inc. (Case No. QWE-T-05-9). This is an Application to adopt a new agreement. The agreement is based upon Qwest's 14 State Negotiation Template, which basically follows Qwest's SGAT as changed by Qwest in accordance with its interpretation of the FCC's TRO.

#### **STAFF ANALYSIS**

The 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 Agreements and Amendments listed above?



Wayne Har

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