

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
 QWEST CORPORATION FOR APPROVAL OF) **CASE NO. QWE-T-02-22**
 AN AMENDMENT TO ITS INTERCONNECTION)
 AGREEMENT WITH MCIMETRO ACCESS)
 TRANSMISSION SERVICES LLC PURSUANT)
 TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION OF)
 QWEST CORPORATION FOR APPROVAL OF) **CASE NO. QWE-T-05-16**
 AN AMENDMENT TO ITS INTERCONNECTION)
 AGREEMENT WITH TETON)
 COMMUNICATIONS, INC. PURSUANT TO 47)
 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION OF)
 QWEST CORPORATION FOR APPROVAL OF) **CASE NO. USW-T-00-05**
 AN AMENDMENT TO ITS INTERCONNECTION)
 AGREEMENT WITH INTEGRA TELECOM OF)
 IDAHO, INC. PURSUANT TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION OF)
 QWEST CORPORATION FOR APPROVAL OF) **CASE NO. QWE-T-04-20**
 AN AMENDMENT TO ITS INTERCONNECTION)
 AGREEMENT WITH TW TELECOM OF IDAHO,)
 LLC FKA TIME WARNER TELECOM OF)
 IDAHO, LLC PURSUANT TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION OF)
 QWEST CORPORATION FOR APPROVAL OF) **CASE NO. QWE-T-00-13**
 AN AMENDMENT TO ITS INTERCONNECTION)
 AGREEMENT WITH ESCHELON TELECOM,)
 INC. PURSUANT TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION OF)
 QWEST CORPORATION FOR APPROVAL OF) **CASE NO. QWE-T-05-05**
 AN AMENDMENT TO ITS INTERCONNECTION)
 AGREEMENT WITH METROPOLITAN)
 TELECOMMUNICATIONS OF IDAHO, INC.) **ORDER NO. 32293**
 PURSUANT TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION FOR)
APPROVAL OF AN INTERCONNECTION) **CASE NO. CTZ-T-11-01**
AGREEMENT BETWEEN FRONTIER)
COMMUNICATIONS OF AMERICA, INC. AND)
FRONTIER COMMUNICATIONS NORTHWEST)
INC. 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 as well as a new Interconnection Agreement. With this Order, the Commission approves the Interconnection Agreement and amendments to the existing Interconnection 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 APPLICATIONS

1. Qwest Corporation and MCIMetro Access Transmission Services LLC, Case No. QWE-T-02-22. On May 24, 2011, the Commission received Qwest’s Application requesting approval to amend its Interconnection Agreement with MCIMetro, previously approved by the Commission on September 3, 2004. This filing amends the terms, conditions and port rates of the Qwest Local Services Platform agreement.

2. Qwest Corporation and Teton Communications, Inc., Case No. QWE-T-05-16. On May 24, 2011, the Commission received Qwest’s Application requesting authority to amend

its Interconnection Agreement with Teton. The parties' original Agreement was approved by the Commission on August 29, 2005. *See* Order No. 29858. This filing amends the Type 1 and Type 2 Paging Connections Service agreement and adds terms, conditions and rates for 800 Pageline.

3. Qwest Corporation and Integra Telecom of Idaho, Inc., Case No. USW-T-00-05. On May 24, 2011, the Commission received Qwest's Application requesting authority to amend its Interconnection Agreement with Integra. The parties' original Agreement was approved by the Commission on April 28, 2000. *See* Order No. 28360. This filing amends the terms, conditions and port rates of the Qwest Local Services Platform agreement.

4. Qwest Corporation and TW Telecom of Idaho, LLC fka Time Warner Telecom of Idaho, LLC, Case No. QWE-T-04-20. On May 24, 2011, the Commission received Qwest's Application requesting authority to amend its Interconnection Agreement with TW Telecom. The parties' original Agreement was approved by the Commission on August 2, 2004. *See* Order No. 29559. This filing adds terms and conditions relating to xDSL capable loops.

5. Qwest Corporation and Eschelon Telecom, Inc., Case No. QWE-T-00-13. On May 24, 2011, the Commission received Qwest's Application requesting authority to amend its Interconnection Agreement with Eschelon. The parties' original Agreement was approved by the Commission on November 20, 2000. *See* Order No. 28570. This filing amends the terms, conditions and port rates of the Qwest Local Services Platform agreement.

6. Qwest Corporation and Metropolitan Telecommunications of Idaho, Inc., Case No. QWE-T-05-05. On June 23, 2011, the Commission received Qwest's Application requesting authority to amend its Interconnection Agreement with Metropolitan. The parties' original Agreement was approved by the Commission on May 5, 2005. *See* Order No. 29776. This filing amends the terms and conditions of Attachment 2 of the parties' existing Interconnection Agreement.

7. Frontier Communications of America, Inc. (FCA) and Frontier Communications Northwest Inc. (Frontier), Case No. CTZ-T-11-01. On June 15, 2011, the Commission received Frontier's Application requesting approval of its Interconnection Agreement with FCA. This Agreement sets out rates, terms and conditions for FCA to collocate in Frontier's offices for the provision of broadband services.

STAFF RECOMMENDATION

Staff reviewed the foregoing Applications and did not find any terms or conditions that it considers to be discriminatory or contrary to the public interest. Staff believes that the Interconnection Agreements and amendments thereto, 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 proposed Interconnection Agreement and amendments to the parties' Interconnection Agreements.

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). However, 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 recommendations, the Commission finds that the Agreement and Amendments to the Agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the Agreement and Amendments, reviewed by Staff and more fully described above, should be approved. Approval of the Agreement and Amendments does not negate the responsibility of either party 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 MCIMetro Access Transmission Services LLC, Case No. QWE-T-02-22, is approved.

IT IS FURTHER ORDERED that the Amendment to the Interconnection Agreement between Qwest Corporation and Teton Communications, Inc., Case No. QWE-T-05-16, is approved.

IT IS FURTHER ORDERED that the Amendment to the Interconnection Agreement between Qwest Corporation and Integra Telecom of Idaho, Inc., Case No. USW-T-00-05, is approved.

IT IS FURTHER ORDERED that the Amendment to the Interconnection Agreement between Qwest Corporation and TW Telecom of Idaho, LLC fka Time Warner Telecom of Idaho, LLC, Case No. QWE-T-04-20, is approved.

IT IS FURTHER ORDERED that the Amendment to the Interconnection Agreement between Qwest Corporation and Eschelon Telecom, Inc., Case No. QWE-T-00-13, is approved.

IT IS FURTHER ORDERED that the Amendment to the Interconnection Agreement between Qwest Corporation and Metropolitan Telecommunications of Idaho, Inc., Case No. QWE-T-05-05, is approved.

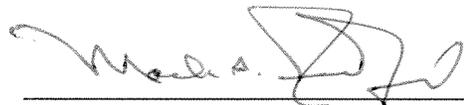
IT IS FURTHER ORDERED that the Interconnection Agreement between Frontier Communications of America, Inc. and Frontier Communications Northwest Inc., Case No. CTZ-T-11-01, is approved.

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 14th
day of July 2011.



PAUL KJELLANDER, PRESIDENT

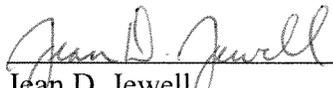


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O:QWE-T-02-22_05-16_USW-T-00-05_QWE-T-04-20_00-13_05-05_CTZ-T-11-01_np