

## DECISION MEMORANDUM

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

**FROM:** WAYNE HART

**DATE:** JANUARY 25, 2007

**RE:** STAFF REVIEW OF INTERCONNECTION AGREEMENTS AND  
AMENDMENTS: CASE NOS. QWE-T-00-7, QWE-T-02-23, QWE-T-03-13,  
QWE-T-05-8, QWE-T-06-24, AND QWE-T-06-25.

### 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 McLeodUSA Telecommunications Services, Inc. (Case No. QWE-T-00-7). This Application seeks approval of an amendment providing terms and procedures for retaining the existing cabling and fuse position when a CLEC's DC Power use is reduced to zero.

2. Qwest and Westcom, LLC dba WesTelFiber (Case No. QWE-T-02-23). This Application seeks approval of the TRO/TRRO Amendment. The amendment implements the changes to the standard agreement to comply with the FCC's Triennial Review Order and Triennial Review Remand Order. The Commission has previously approved this amendment in other cases.

3. Qwest and New Cingular Wireless PCS, LLC (Case No. QWE-T-03-13). This Application seeks approval of an amendment that specifies the terms and conditions that will apply to the surviving entity of the mergers of AT&T Wireless and Cingular, which then merged with Pacific Bell Wireless, Northwest. New Cingular Wireless PCS LLC is the surviving entity of these mergers. Qwest had multiple agreements with the merged entities, and the amendment consolidates those agreements into a single agreement.

4. Qwest and Prime Time Ventures, LLC (Case No. QWE-T-05-8). This Application seeks approval of the Qwest DSL Amendment. The amendment reflects Qwest's decision to offer its digital subscriber line service as a Title I service, and therefore no longer available under the terms of the interconnection agreement. The Commission has previously approved this amendment in other cases.

5. Qwest and MCImetro Access Transmission Services, LLC (Case No. QWE-T-06-24). This Application seeks approval of a new agreement, as well as an amendment to that agreement. The new agreement is a negotiated agreement and contains terms that are similar to those in previously approved agreements. The amendment specifies that this single agreement will replace all previous agreements between Qwest and MCI and any other CLECs that had been acquired by or merged with MCI.

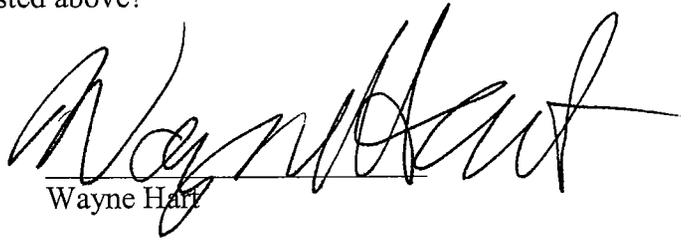
6. Qwest and Ygnition Networks, Inc. (Case No. QWE-T-06-25). This Application seeks approval of the agreement between Qwest and Ygnition Networks, Inc. to adopt the terms of the agreement between Qwest and 360networks USA, Inc. The Commission approved the Qwest-360networks agreement in Order No. 29986.

#### **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 Agreements and 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 Agreements and 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 Hart

i:udmemos/intc dm 1\_25\_07.doc