

DECISION MEMORANDUM

TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: GRACE SEAMAN

DATE: MARCH 12, 2009

RE: QWEST'S APPLICATION TO AMEND AN INTERCONNECTION
AGREEMENT; CASE NO. QWE-T-05-21.

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).

CURRENT APPLICATION

On March 6, 2009, Qwest Corporation (Qwest) submitted an Application to amend an existing agreement with Project Mutual Telephone Cooperative Association Inc., approved by the Commission on November 23, 2005. In this Application, the parties request Commission approval of an amendment that incorporates terms and conditions as set forth in the Mid-Span Meet POI and Trunking and Exhibit H (Calculation of the Relative Use Factor).

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 the Application is consistent with the FCC Orders and pro-competitive policies of this Commission, the Idaho Legislature, and the

federal Telecommunications Act. Accordingly, Staff recommends Commission approval of the Amendment to the Interconnection Agreement.

COMMISSION DECISION

Does the Commission wish to approve this Application?


Grace Seaman

i:\udmemos/qwe-t-05-21amend.doc