

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND CORDIA) CASE NO. QWE-T-06-1
COMMUNICATIONS CORP. FOR)
APPROVAL OF AN INTERCONNECTION)
AGREEMENT PURSUANT TO 47 U.S.C. §)
252(e))**

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND) CASE NO. QWE-T-06-2
360NETWORKS (USA) INC. FOR)
APPROVAL OF AN INTERCONNECTION)
AGREEMENT PURSUANT TO 47 U.S.C. §)
252(e))**

**IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION AND) CASE NO. QWE-T-06-3
NAVIGATOR TELECOMMUNICATIONS,)
LLC FOR APPROVAL OF AN)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION)
OF TDS TELECOMMUNICATIONS) CASE NO. POT-T-06-1
CORPORATION (POTLATCH TELEPHONE)
COMPANY, INC.) AND T-MOBILE USA,)
INC. FOR APPROVAL OF AN)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION)
OF SILVER STAR TELEPHONE COMPANY) CASE NO. SIL-T-06-1
AND GOLD STAR COMMUNICATIONS,)
LLC FOR APPROVAL OF AN)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION)
OF COLUMBINE TELEPHONE COMPANY) CASE NO. COL-T-06-1
(TETON) AND GOLD STAR)
COMMUNICATIONS, LLC FOR APPROVAL)
OF AN INTERCONNECTION AGREEMENT) ORDER NO. 29986
PURSUANT TO 47 U.S.C. § 252(e))**

In these cases, the Commission is asked to approve newly negotiated Interconnection Agreements. With this Order the Commission approves the Agreements as set forth below.

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). 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 CURRENT APPLICATIONS

1. Qwest Corporation and Cordia Communications Corp. (Case No. QWE-T-06-1). This Application seeks approval of a new agreement that follows Qwest’s 14 State negotiations template. The terms are similar to those in previously approved agreements.
2. Qwest Corporation and 360networks (USA) Inc. (Case. No. QWE-T-06-2). This Application seeks approval of a new agreement that follows Qwest’s 14 State negotiations template. The terms are similar to those in previously approved agreements.
3. Qwest Corporation and Navigator Telecommunications, LLC (Case No. QWE-T-06-3). This Application seeks approval of a new agreement that follows Qwest’s 14 State negotiations template. The terms are similar to those in previously approved agreements.
4. TDS Telecommunications Corporation (as an agent of Potlatch Telephone Company, Inc.) and T-Mobile USA, Inc. (Case No. POT-T-06-1). This is a new agreement for the exchange of wireless traffic between Potlatch and T-Mobile. This voluntarily negotiated agreement contains terms similar to other agreements between TDS and wireless carriers that have been previously approved by this Commission.

5. Silver Star Telephone Company and Gold Star Communications, LLC (Case No. SIL-T-06-1). This is a voluntarily negotiated agreement that contains terms for wireless interconnection and compensation. It contains terms similar to those approved for other wireless interconnection agreements.

6. Columbine Telephone Company dba Teton Telecom and Gold Star Communications, LLC (Case No. COL-T-06-1). This is a voluntarily negotiated agreement that contains terms for wireless interconnection and compensation. It contains terms similar to those approved for other wireless interconnection agreements.

STAFF RECOMMENDATION

Staff has reviewed the Applications and does not find any terms or conditions that it considers to be discriminatory or contrary to the public interest. Staff believes that the Applications are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff recommended Commission approval of the Agreements.

COMMISSION DECISION

Under the terms of the Telecommunications Act, interconnection agreements must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). 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 recommendation, the Commission finds that the Agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the Agreements should be approved. However, approval of these Agreements does not negate the responsibility of either of the parties 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 Interconnection Agreement of Qwest Corporation and Cordia Communications, Corp., Case No. QWE-T-06-1, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement of Qwest Corporation and 360networks (USA) Inc., Case No. QWE-T-06-2, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement of Qwest Corporation and Navigator Telecommunications, LLC, Case No. QWE-T-06-3, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement of TDS Telecommunications Corporation (as an agent for Potlatch Telephone Company, Inc.) and T-Mobile USA, Inc., Case No. POT-T-06-1, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement of Silver Star Telephone Company and Gold Star Communications, LLC, Case No. SIL-T-06-1, is approved.

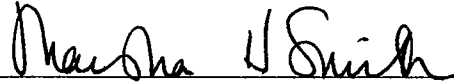
IT IS FURTHER ORDERED that the Interconnection Agreement of Columbine Telephone Company dba Teton Telecom and Gold Star Communications, LLC, Case No. COL-T-06-1, is approved.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in 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.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th
day of March 2006.



PAUL KJELLANDER, PRESIDENT

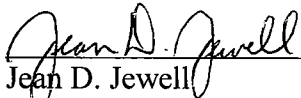


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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