

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION FILED)
BY QWEST CORPORATION FOR) CASE NO. QWE-T-06-6
APPROVAL OF INTERCONNECTION)
AGREEMENTS WITH GEM STATE)
COMMUNICATIONS, INC. DBA IDAHO)
COMMUNICATIONS AND RADIO SERVICE) ORDER NO. 30074
COMPANY)

On March 17, 2006, Qwest Corporation filed a Petition for Approval of Interconnection Agreements to Implement FCC Ruling in *T-Mobile Order*. According to Qwest's Petition, the Federal Communications Commission's decision in *In the Matter of Developing a Unified Intercarrier Compensation Regime, T-Mobile et al. Petition for Declaratory Ruling Regarding Incumbent LEC Wireless Termination Tariffs*, CC Docket 01-92, FCC 05-42, (February 24, 2005), requires Qwest to request and enter into interconnection agreements with wireless and paging carriers for the termination of traffic. Qwest attempted numerous times to initiate discussions with the wireless and paging companies identified in its Petition, but had not received responses at the time of the Petition. Qwest initially sought approval of interconnection agreements with six companies identified in its Petition, but Qwest subsequently filed Motions to Dismiss its Petition against four of the companies. Qwest accordingly requested that the Commission approve interconnection agreements, attached to its Petition as Exhibit B, as to the two remaining parties.

On May 9, 2006, the Commission issued a Notice of Petition and Notice of Modified Procedure, Order No. 30034. The Commission dismissed four of the parties from the case, and proceeded by Modified Procedure as to two paging companies. During the comment period established by the Commission, written comments were filed only by Qwest. In its comments, Qwest reiterated its attempts to reach agreement with the remaining companies, one of which had responded. Qwest thus also filed a Motion to Dismiss its Petition as to Gem State Communications. Noting that the remaining party, Radio Service, never responded to Qwest's efforts to negotiate a paging interconnection agreement, Qwest asked that the Commission issue an Order adopting and approving the proposed paging interconnection agreement between Qwest

and Radio Service. Qwest alleges the agreement is non-discriminatory and is consistent with the *T-Mobile Order* and the federal Telecommunications Act.

Staff reviewed the proposed interconnection agreement and believes it is consistent with the FCC's decision in the *T-Mobile* case. Given the circumstances, where Radio Service has not responded to Qwest's efforts to initiate discussions for an interconnection agreement, and failed to respond to the Commission's Notice issued on May 9, 2006, we find it appropriate to issue an Order approving the interconnection agreement (Exhibit B to Qwest's Petition) between Qwest and Radio Service Company, and dismissing Qwest's Petition as to Gem State Communications. According to the record, Qwest was diligent in attempting to initiate interconnection discussions with Radio Service Company, which did not even respond to the Notice issued by the Commission. The agreement attached to Qwest's Petition as Exhibit B apparently satisfies the FCC's requirements in the *T-Mobile Order*, and meets the standards for an interconnection agreement stated in 47 U.S.C. §252.

ORDER

IT IS HEREBY ORDERED that Qwest's Motion to Dismiss its Petition as to Gem State Communications is granted, and Gem State Communications accordingly is dismissed from this case.

IT IS FURTHER ORDERED that the agreement attached as Exhibit B to Qwest's Petition is approved as the interconnection agreement between Qwest and Radio Service Company.

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. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

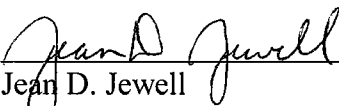
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16th
day of June 2006.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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