

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: WELDON STUTZMAN

DATE: JUNE 7, 2006

SUBJECT: CASE NO. QWE-T-06-6
APPROVAL OF INTERCONNECTION AGREEMENT BETWEEN
QWEST CORPORATION AND RADIO SERVICE COMPANY

On March 17, 2006, Qwest Corporation filed a Petition for Approval of Interconnection Agreements to Implement FCC Ruling in *T-Mobile Order*. Qwest's Petition asserts that it is required by the Federal Communications Commission rules to request and enter into interconnection agreements with wireless and paging carriers for the termination of traffic. Qwest attempted numerous times to contact the companies identified in its Petition, but had not received responses at the time of the Petition. Qwest sought approval of interconnection agreements with six companies it identified in its Petition, but Qwest subsequently filed Motions to Dismiss its Petition against four of the companies. Qwest accordingly proposed that the Commission approve Qwest's interconnection agreement 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 and Order No. 30034. The Commission dismissed four of the parties from the case, and proceeded by Modified Procedure as to the other two 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 complaint 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 did not respond to the Commission's Notice issued on May 9, 2006, Staff recommends that the Commission 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.

COMMISSION DECISION

Should the Commission issue an Order approving Exhibit B to Qwest's Petition as an interconnection agreement between Qwest and Radio Service Company, and dismissing the Petition as to Gem State Communications?



Weldon Stutzman

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