

DECISION MEMORANDUM

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

FROM: WAYNE HART

DATE: SEPTEMBER 6, 2006

RE: STAFF REVIEW OF INTERCONNECTION AGREEMENTS AND
AMENDMENTS; CASE NOS. QWE-T-02-1, QWE-T-02-12, QWE-T-04-9,
QWE-T-04-23, QWE-T-06-15 and QWE-T-06-18.

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 Comtel Assets LP dba VarTec Telecom (Case No. QWE-T-02-1). This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.
2. Qwest and Comtel Assets LP dba Excel Telecommunications (QWE-T-02-12). This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

3. Qwest and AT&T Communications of the Mountain States, Inc. (Case No QWE-T-04-9).

This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

4. Qwest Corporation and Qwest Communications Corporation (QWE-T-04-23).

This Application seeks approval of the Triennial Review Order and Triennial Review Remand Order (TRO/TRRO) Amendment. This amendment adds terms to implement the provisions of the FCC's TRO and TRRO decisions. The Commission has previously approved this amendment in other cases.

5. Qwest and Metrocall, Inc. (Case No QWE-T-06-15).

This Application seeks approval of a Type 1 and Type 2 Paging Connections Service Agreement. The agreement contains terms and conditions similar to other paging agreements previously approved by this Commission.

6. Qwest and YMax Communications Corp. (Case No. QWE-T-06-18).

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.

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

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