

THE CURRENT APPLICATIONS

1. Qwest Corporation and Clark Communications, Inc. (Case No. QWE-T-06-19).

Qwest initially filed its Application for approval of this Type 2 Wireless Interconnection Agreement on August 30, 2006. After review, Staff and Qwest worked to correct the filing so that the cover letter, Agreement and Application all reflected the services that Clark was providing. On September 7, 2006, Qwest submitted the revised information with the agreed-upon changes. Qwest states that the revised Agreement was jointly entered into between Qwest and Clark and provides for both companies to interconnect their facilities thereby providing customers with increased choices among local telecommunications services.

2. Qwest Corporation and Clark Communications, Inc. (Case No. QWE-T-06-20).

Qwest initially filed its Application for approval of this Type 1 and Type 2 Paging Agreement on August 30, 2006. After review, Staff and Qwest worked to correct the filing so that it would comport with paging services and not reflect the standard interconnection agreements that the Company most-often files. On September 7, 2006, Qwest resubmitted the revised Application with the agreed upon changes. Qwest states that the revised Agreement was jointly entered into between Qwest and Clark and provides for both companies to interconnect their facilities for the purpose of delivering land to pager traffic.

3. Qwest Corporation and My Choice Communications, Inc. (Case No. QWE-T-06-

21). On September 21, 2006, Qwest submitted an Application for an interconnection agreement with My Choice Communications, Inc. In this Application, the parties request that the Commission approve an agreement that includes terms and conditions for interconnection unbundled network elements, ancillary services, and resale of telecommunications services.

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 Type 2 Wireless Interconnection Agreement of Qwest Corporation and Clark Communications, Inc., Case No. QWE-T-06-19, is approved.

IT IS FURTHER ORDERED that the amended Paging Connection Agreement of Qwest Corporation and Clark Communications, Inc., Case No. QWE-T-06-20, is approved.

IT IS FURTHER ORDERED that the Resale Agreement of Qwest Corporation and My Choice Communications, Inc., Case No. QWE-T-06-21, 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 26th
day of September 2006.



PAUL KJELLANDER, PRESIDENT



MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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