

Qwest
1600 7th Avenue, Room 3206
Seattle, Washington 98191
(206) 398-2504
Facsimile (206) 343-4040

Maura E. Peterson
Paralegal
Regulatory Law

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2007 FEB -1 PH 2: 00
IDAHO PUBLIC
UTILITIES COMMISSIO.



Via Overnight delivery

January 30, 2007

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, Idaho 83720-0074

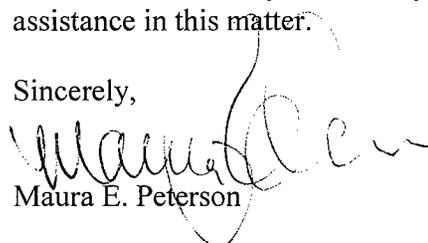
Re: Case No. QWE-7-07-01
Application for Approval of Agreement to Adopt the 360networks USA, Inc.
Interconnection Agreement
KMC Data, LLC

Dear Ms. Jewell:

Enclosed for filing with this Commission on behalf of Qwest Corporation is an original and three (3) copies of the Application for Approval of Amendment to Adopt the 360networks USA, Inc. Interconnection Agreement. Qwest respectfully requests that this matter be placed on the Commission Decision Meeting Agenda for expedited approval.

Please contact me if you have any questions concerning the enclosed. Thank you for your assistance in this matter.

Sincerely,


Maura E. Peterson

mep
Enclosure
cc: Service list

Adam L. Sherr (WSBA# 25291)
Qwest
1600 7th Ave, Room 3206
Seattle, WA 98191
Telephone: (206) 398-2504
Facsimile: (206) 343-4040
Adam.sherr@qwest.com

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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**APPLICATION OF QWEST
CORPORATION FOR APPROVAL OF
THE ADOPTION OF THE
360NETWORKS USA, INC.
INTERCONNECTION AGREEMENT
(APPROVED BY THE COMMISSION ON
MARCH 7, 2006 [ORDER NO. 29986] IN
DOCKET NO. QWE-T-06-02 FOR THE
STATE OF IDAHO PURSUANT TO 47
U.S.C. §252(e)**

CASE NO.: QWE-T-07-01
**APPLICATION FOR APPROVAL OF
AGREEMENT TO ADOPT
360NETWORKS USA, INC.
INTERCONNECTION AGREEMENT**

Qwest Corporation ("Qwest") hereby files this Application for Approval of Interconnection Agreement ("Agreement"). The Letter Agreement with KMC Data, LLC ("KMC") is submitted herewith.

This Agreement was reached through voluntary negotiations without resort to mediation or arbitration and is submitted for approval pursuant to Section 252(e) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the "Act").

Section 252(e)(2) of the Act directs that a state Commission may reject an agreement reached through voluntary negotiations only if the Commission finds that: the agreement (or portion(s) thereof) discriminates against a telecommunications carrier not a party to this agreement; or the implementation of such an agreement (or portion) is not consistent with the public interest, convenience and necessity.

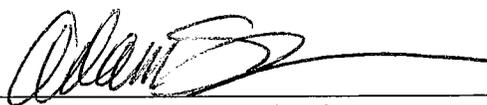
Qwest respectfully submits that this Agreement provides no basis for either of these findings, and, therefore requests that the Commission approve this Agreement expeditiously. This Agreement is consistent with the public interest as identified in the pro-competitive policies of the state of Idaho, the Commission, the United States Congress, and the Federal

Communications Commission. Expeditious approval of this Agreement will enable KMC to interconnect with Qwest facilities and to provide customers with increased choices among local telecommunications services.

Qwest further requests that the Commission approve this Agreement without a hearing. Because this Agreement was reached through voluntary negotiations, it does not raise issues requiring a hearing and does not concern other parties who were not party to the negotiations. Expeditious approval would further the public interest.

Respectfully submitted this 30th day of January, 2007.

Qwest Corporation



Adam Sherr, Attorney for Qwest

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January, 2007, I served the foregoing **APPLICATION FOR APPROVAL OF AGREEMENT TO ADOPT INTERCONNECTION AGREEMENT** upon all parties of record in this matter as follows:

Jean Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, Idaho 83720-0074
jjewell@puc.state.id.us

- Hand Delivery
- U. S. Mail
- Overnight Delivery
- Facsimile
- Email

KMC Data LLC
Brian Murdoch, Director
5300 Oakbrook Parkway, Suite 330
Norcross, GA 30093

- Hand Delivery
- U. S. Mail
- Overnight Delivery
- Facsimile
- Email



Maura E. Peterson
Paralegal



November 7, 2006

KMC Data, LLC
Brian Murdoch, Director
5300 Oakbrook Parkway, Suite 330
Norcross, GA 30093
Phone - 678.387.2802

Dear Mr. Murdoch,

We have received your request that, under Section 252(i) of the Telecommunications Act of 1996, KMC Data, LLC ("CLEC") wishes to adopt in its entirety, the terms of the Interconnection Agreement and any associated amendments, if applicable, (the "Underlying Agreement") between 360networks (USA), inc. and Qwest Corporation fka U S WEST Communications, Inc. ("Qwest") that was approved by the Commission on March 7, 2006 as an effective agreement in the State of Idaho. CLEC is incorporated in the State of Delaware. We understand you have a complete copy of the Underlying Agreement.

By their respective signatures below, Qwest and CLEC ("the Parties") intend that this letter serve as their agreement ("Letter Agreement") for CLEC to adopt the Underlying Agreement under the following terms and conditions:

1. This Letter Agreement shall become effective upon approval by the Commission. If for some reason the Commission rejects all or part of the Letter Agreement either party may at its option declare the remainder of the Agreement void and be excused from any performance thereunder.
2. Notwithstanding the mutual commitments set forth herein, Qwest is entering into this Letter Agreement without prejudice to any positions it has taken previously, or may take in the future, in any legislative, regulatory, or other public forum addressing any matters, including those relating to the types of arrangements contained in the Underlying Agreement. During the proceeding in which the Commission is to review and approve the Letter Agreement, Qwest may point out that it has objected, and continues to object, to the inclusion of the terms and conditions to which it objected in the proceedings involving the approval of the Underlying Agreement.
3. CLEC adopts the terms and conditions of the Underlying Agreement for interconnection with Qwest and in applying the terms and conditions, agrees that KMC Data, LLC be substituted in place of "360networks (USA), inc." throughout the Underlying Agreement wherever the latter appears.
4. Qwest requests that notice to Qwest Corporation as may be required under the Underlying Agreement shall be provided as follows:

Qwest Corporation
Director Interconnection Agreements
1801 California Street, Room 2410
Denver, CO 80202
303-965-3029
Email – IntAgree@qwest.com

With copy to:
Qwest Corporation Law Department
Attention: General Counsel, Interconnection
1801 California Street, 10th Floor
Denver, CO 80202

CLEC requests that notice to CLEC as may be required under the Underlying Agreement shall be provided as follows:

KMC Data, LLC
Brian Murdoch, Director
5300 Oakbrook Parkway, Suite 330
Norcross, GA 30093
Phone - 678.387.2802
Fax - 678.387.2791
Email - Brian.Murdoch@Hypercube-llc.com

5. CLEC represents and warrants that it is a certified provider of local telecommunication service in the State of Idaho and that this Agreement will cover services in that state only.

6. Please sign all three original copies of this letter, and overnight them within sixty (60) days to:

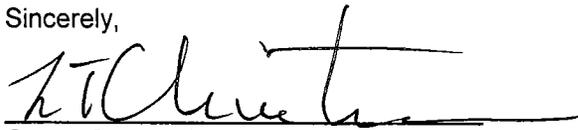
Qwest Corporation
Manager of Interconnection
1801 California St, Suite 2420
Denver, CO 80202
Phone: 303-965-3029

After sixty (60) days Qwest may rescind its willingness to consider the Agreement's terms and conditions.

7. Please note that Qwest will file this Letter Agreement with the appropriate state commission for approval; however, some state commissions will not approve the Letter Agreement until the CLEC is certified by the state commission. You may want to contact the appropriate state commission to determine the requisite filing guidelines.

Sincerely,

Date



1/2/07

Qwest Corporation
L.T. Christensen
Director - Interconnection Agreements
1801 California Street, Suite 24th Floor
Denver, Colorado 80202

I agree to all terms and conditions contained in this letter as indicated by my signature below:

KMC Data, LLC

Signature

BRIAN MURDOCH
Name Printed

DIRECTOR - CARRIER MANAGEMENT
Title

12.20.06
Date