

DECISION MEMORANDUM

**TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
LEGAL
WORKING FILE**

FROM: GRACE SEAMAN

DATE: NOVEMBER 20, 2008

**RE: QWEST'S APPLICATION FOR APPROVAL OF THE
INTERCONNECTION AGREEMENT AND AMENDMENT;
CASE NO. QWE-T-08-09.**

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).

CURRENT APPLICATION

On November 10, 2008, Qwest Corporation (Qwest) submitted an Application for a resale agreement with QuantumShift Communications, Inc., d/b/a vCom Solutions. In this Application, the parties request that the Commission approve an agreement that includes terms and conditions, unbundled network elements, pricing, ancillary services, and telecommunications services available for resale within the geographical areas in which both parties are providing local exchange service at the same time, and for which Qwest is the incumbent local exchange carrier within the State of Idaho. Qwest also submitted an amendment to the agreement that incorporated the Qwest Local Service Platform (QLSP) agreement.

STAFF ANALYSIS

Staff has reviewed both the interconnection agreement and the QLSP agreement and does not find that any terms or conditions are discriminatory or contrary to the public interest. Staff believes the Application is consistent with the FCC orders and pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommends Commission approval of the Application for Approval of the Interconnection Agreement and the QLSP Agreement.

COMMISSION DECISION

Does the Commission agree?



Grace Seaman

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