

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF THE APPLICATION )  
 OF QWEST CORPORATION FOR ) **CASE NO. QWE-T-08-10**  
 APPROVAL OF ITS TYPE 1 AND TYPE 2 )  
 PAGING INTERCONNECTION )  
 AGREEMENTS WITH PAGEDATA )  
 PURSUANT TO 47 U.S.C. § 252(e) )

IN THE MATTER OF THE APPLICATION )  
 OF QWEST CORPORATION FOR ) **CASE NO. QWE-T-08-11**  
 APPROVAL OF ITS TYPE 1 AND TYPE 2 )  
 PAGING INTERCONNECTION )  
 AGREEMENTS WITH WAVESENT LLC )  
 PURSUANT TO 47 U.S.C. § 252(e) )

IN THE MATTER OF THE APPLICATION )  
 OF QWEST CORPORATION FOR ) **CASE NO. QWE-T-09-03**  
 APPROVAL OF ITS INTERCONNECTION )  
 AGREEMENT WITH BLC MANAGEMENT )  
 LLC, DBA ANGLES COMMUNICATIONS )  
 SOLUTIONS, PURSUANT TO 47 U.S.C. § )  
 252(e) )

IN THE MATTER OF THE APPLICATION )  
 OF QWEST CORPORATION FOR ) **CASE NO. QWE-T-00-07**  
 APPROVAL OF AN AMENDMENT TO ITS )  
 INTERCONNECTION AGREEMENT WITH )  
 MCLEODUSA TELECOMMUNICATIONS )  
 SERVICES, INC. PURSUANT TO 47 U.S.C. § ) **ORDER NO. 30741**  
 252(e) )

In these cases, the Commission is asked to approve new Interconnection Agreements and an amendment to an existing Interconnection Agreement. With this Order the Commission approves the Agreements.

**BACKGROUND**

Under the provisions of the federal Telecommunications Act of 1996, interconnection agreements, including amendments thereto, 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). As the Commission noted in Order No. 28427, companies voluntarily entering into interconnection agreements “may negotiate terms, prices and conditions that do not comply with either the FCC rules or with the provision of Section 251(b) or (c).” Order No. 28427 at 11 (emphasis in original). This comports with the FCC’s statement that “a state commission shall have authority to approve an interconnection agreement adopted by negotiation even if the terms of the agreement do not comply with the requirements of [Part 51].” 47 C.F.R. § 51.3.

### **THE APPLICATIONS**

1. Qwest Corporation and PageData LLC, Case No. QWE-T-08-10. On December 31, 2008, Qwest filed an Application for approval of its Type 1 and Type 2 Interconnection Agreement with PageData. The Agreement states that a Type 1 Paging Service is a one-way final route Trunk Group between Qwest’s serving wire center, or Dial Tone Office, and a Paging Provider’s Point of Connection (“POC”). A Type 2 Paging Service is a one-way intraLATA/intrastate final route Trunk Group between Qwest’s local, LATA/Toll Tandems, end office switches and a paging provider’s POC. The Application states that the parties’ Agreement was reached through voluntary negotiations.

2. Qwest Corporation and WaveSent LLC, Case No. QWE-T-08-11. On December 31, 2008, Qwest filed an Application for approval of its Type 1 and Type 2 Interconnection Agreement with WaveSent. The Agreement states that a Type 1 Paging Service is a one-way final route Trunk Group between Qwest’s serving wire center, or Dial Tone Office, and a Paging Provider’s Point of Connection (“POC”). A Type 2 Paging Service is a one-way intraLATA/intrastate final route Trunk Group between Qwest’s local, LATA/Toll Tandems, end office switches and a paging provider’s POC. The Application states that the parties’ Agreement was reached through voluntary negotiations.

3. Qwest Corporation and BLC Management LLC dba Angles Communications Solutions, Case No. QWE-T-09-03. On January 20, 2009, Qwest submitted an Application for approval of its Interconnection Agreement with BLC. The Agreement includes terms and conditions for interconnection, unbundled network elements, ancillary services and the resale of telecommunications services in the state of Idaho.

4. Qwest Corporation and McLeodUSA Telecommunications Services, Inc. dba PAETEC Business Services, Case No. QWE-T-00-07. On February 12, 2009, Qwest filed an Application seeking to amend its Interconnection Agreement with McLeodUSA which was previously approved by the Commission on November 9, 2000. *See* Order No. 28565. The Amendment states that the parties have mutually agreed to add certain “terms, conditions and rates pursuant to which [McLeodUSA] will invoice Qwest for and Qwest will pay Wholesale Service Order Charges.”

#### **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 Interconnection Agreements are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommended that the Commission approve the foregoing Agreements.

#### **COMMISSION DECISION**

Under the terms of the Telecommunications Act, interconnection agreements, including amendments thereto, must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). The Commission’s review is limited, however. 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. Approval of these Agreements does not negate the responsibility of either party 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 1 and Type 2 Paging Interconnection Agreement between Qwest Corporation and PageData LLC, Case No. QWE-T-08-10, is approved.

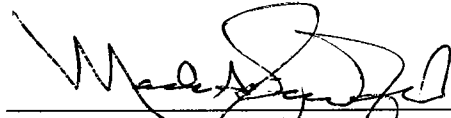
IT IS FURTHER ORDERED that the Type 1 and Type 2 Paging Interconnection Agreement between Qwest Corporation and WaveSent LLC, Case No. QWE-T-08-11, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between Qwest Corporation and BLC Management LLC dba Angles Communications Solutions, Case No. QWE-T-09-03, is approved.

IT IS FURTHER ORDERED that the Amendment to the Interconnection Agreement between Qwest Corporation and McLeodUSA Telecommunications Services, Inc. dba PAETEC Business Services, Case No. QWE-T-00-07, is approved.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of 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 and 62-619.

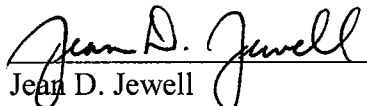
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10<sup>th</sup>  
day of March 2009.

  
MACK A. REDFORD, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
JIM D. KEMPTON, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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