

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF QWEST CORPORATION FOR)	CASE NO. QWE-T-09-18
APPROVAL OF ITS INTERCONNECTION)	
AGREEMENT WITH iNETWORKS GROUP,)	
INC. PURSUANT TO 47 U.S.C. § 252(e))	
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IN THE MATTER OF THE APPLICATION)	
OF VERIZON NORTHWEST INC. FOR)	CASE NO. VZN-T-09-02
APPROVAL OF ITS INTERCONNECTION)	
AGREEMENT WITH BLC MANAGEMENT)	
LLC DBA ANGLES COMMUNICATION)	ORDER NO. 30932
SOLUTIONS PURSUANT TO 47 U.S.C. §)	
252(e))	

In these cases, the Commission is asked to approve newly negotiated Interconnection Agreements. 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

Qwest Corporation and iNETWORKS Group, Inc., Case No. QWE-T-09-18. On September 18, 2009, Qwest submitted an Application for approval of its Interconnection Agreement with iNETWORKS. The parties’ Agreement includes terms and conditions, pricing, ancillary services and telecommunications services available for resale. The Agreement is

applicable in geographical areas within the State of Idaho where both parties are currently offering local exchange service and Qwest is the incumbent local exchange carrier. Qwest states that the Agreement was reached through voluntary negotiations.

Verizon Northwest Inc. and BLC Management LLC dba Angles Communication Solutions, Case No. VZN-T-09-02. On September 24, 2009, Verizon filed an Application seeking approval of its Interconnection Agreement with BLC. The parties' Agreement includes the terms and conditions for interconnection, unbundled network elements, collocation and the resale of telecommunications services.

STAFF RECOMMENDATION

Staff has reviewed the foregoing 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 recommends that the Commission approve the foregoing Agreements.

COMMISSION FINDINGS

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 Interconnection Agreement between Qwest Corporation and iNETWORKS Group, Inc., Case No. QWE-T-09-18, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between Verizon Northwest Inc. and BLC Management LLC dba Angles Communication Solutions, Case No. VZN-T-09-02, 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 27th day of October 2009.



JIM D. KEMPTON, PRESIDENT




MARSHA H. SMITH, COMMISSIONER



MACK A. REDFORD, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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