

DECISION MEMORANDUM

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

FROM: GRACE SEAMAN

DATE: DECEMBER 1, 2010

**RE: QWEST CORPORATION'S APPLICATION FOR APPROVAL OF THE
INTERCONNECTION AGREEMENT; CASE NO. QWE-T-10-09.**

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 24, 2010, Qwest Corporation (Qwest) submitted an Application for approval of an interconnection agreement with Broadview Networks, Inc. (Broadview). In this Application, the parties request that the Commission approve an interconnection agreement that includes terms and conditions, pricing, ancillary services and telecommunications services available for resale within the geographical areas in which both parties are providing local exchange service, and for which Qwest is the incumbent local exchange carrier within the State of Idaho.

STAFF ANALYSIS

Staff has reviewed the Application 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.

COMMISSION DECISION

Does the Commission wish to approve this Application?


Grace Seaman

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