

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE JOINT APPLICATION)
OF CITIZENS TELECOMMUNICATIONS) CASE NO. CTC-T-03-1
COMPANY OF IDAHO AND EDGE WIRELESS,)
LLC FOR APPROVAL OF AN)
INTERCONNECTION AGREEMENT PURSUANT)
TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE JOINT APPLICATION)
OF QWEST CORPORATION AND SPRINT) CASE NO. SPR-T-01-1
COMMUNICATIONS COMPANY, L.P. FOR)
APPROVAL OF AN AMENDMENT TO AN)
EXISTING INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE JOINT APPLICATION)
OF QWEST CORPORATION AND COVAD) CASE NO. USW-T-99-3
COMMUNICATIONS COMPANY FOR)
APPROVAL OF AN AMENDMENT TO AN)
EXISTING INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE JOINT APPLICATION)
OF QWEST CORPORATION AND PREFERRED) CASE NO. QWE-T-01-15
CARRIER SERVICES, INC. FOR APPROVAL)
OF AN AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT PURSUANT)
TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE JOINT APPLICATION)
OF QWEST CORPORATION AND WAVESENT) CASE NO. QWE-T-03-7
LLC FOR APPROVAL OF AN AMENDMENT TO)
AN EXISTING INTERCONNECTION)
AGREEMENT PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE JOINT APPLICATION)
OF QWEST CORPORATION AND ALTICOM,) CASE NO. QWE-T-03-17
INC. FOR APPROVAL OF AN)
INTERCONNECTION AGREEMENT PURSUANT)
TO 47 U.S.C. § 252(e).) ORDER NO. 29358**

IN THE MATTER OF THE APPLICATION OF)
QWEST CORPORATION AND LSSI CORP FOR) CASE NO. QWE-T-03-19
APPROVAL OF AN INTERCONNECTION)
AGREEMENT PURSUANT TO 47 U.S.C. § 252(e))
)

IN THE MATTER OF THE APPLICATION OF)
VERIZON NORTHWEST, INC. AND MCIMETRO) CASE NO. VZN-T-03-7
ACCESS TRANSMISSION SERVICES FOR)
APPROVAL OF AN INTERCONNECTION)
AGREEMENT AND AMENDMENT PURSUANT)
TO 47 U.S.C. § 252(e))
)

In these cases, the Commission is asked to approve both new interconnection agreements and amendments to agreements that were previously approved by the Commission.

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 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 recently 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 provisions of Section 251(b) or (c).” Order No. 28427 at 11 (emphasis 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 CURRENT APPLICATIONS

The Commission has been asked to approve these interconnection agreements and amendments to existing interconnection agreements. These agreements are discussed in greater detail below.

1. Citizens Telecommunications Company of Idaho and Edge Wireless, LLC (Case No. CTC-T-03-1). This is a new agreement for Interconnection and Traffic Exchange for

Cellular and Other 2-Way Mobile Radio Services. It contains terms that are similar to previously approved agreements that Citizens has with wireless carriers.

2. Qwest and Sprint Communications Company, L.P. (Case No. SPR-T-01-1). This Application is for an amendment to an existing interconnection agreement providing terms for UNE-P line splitting.

3. Qwest and Covad Communications Company (Case No. USW-T-99-3). This Application is for an amendment to add terms for Basic Installation with Cooperative Testing.

4. Qwest and Preferred Carrier Services, Inc. (Case No. QWE-T-01-15). This Application is for an amendment to add terms for participation in Qwest's Performance Assurance Plan.

5. Qwest and WaveSent LLC (Case No. QWE-T-03-7). This Application involves an amendment to an existing paging agreement adding terms for Single Point of Presence.

6. Qwest and AltiComm, Inc. (Case No. QWE-T-03-17). This is an Application to approve a Resale Agreement.

7. Qwest and LSSi Corp (Case No. QWE-T-03-19). This is an Application for approval of an amendment to an existing agreement for Directory Assistance List Information. The underlying agreement, dated July 28, 1998, is also submitted for review and approval. The Company's Application states it does not believe the agreement or amendment fall under the filing requirements of Section 252, but that it was filing them for Commission review in accordance with its "broad standard" to ensure compliance with Section 252.

8. Verizon Northwest, Inc. and MCImetro Access Transmission Services (Case No. VZN-T-03-7). The Company filed two Applications in this case, one for the underlying agreement and one for an amendment that added amended terms for collocation. In the original agreement, MCImetro is adopting the terms of the ICG Telecom California agreement, pursuant to the GTE/Bell Atlantic merger conditions.

STAFF ANALYSIS AND RECOMMENDATION

The Staff has reviewed these Applications and did not find any terms and conditions to be discriminatory or contrary to the public interest. Staff believes that the interconnection agreements and the amendments to interconnection agreements are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal

Telecommunications Act. Accordingly, Staff believes that the Applications merit the Commission's approval.

COMMISSION DECISION

Under the terms of the Telecommunications Act, interconnection agreements 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, the Staff's recommendation and on the fact no other person commented on these Applications, the Commission finds that the above interconnection agreements and amendments to previously approved interconnection agreements are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that these Applications should be approved. Approval of these new agreements and amendments does not negate the responsibility of any of the parties to these agreements to obtain a Certificate of Public Convenience and Necessity prior to providing local exchange services or from complying 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 agreements and amendments to interconnection agreements discussed above are approved. Terms of the agreements that are not already in effect shall be effective as of the date of this Order.

IT IS FURTHER ORDERED that the interconnection agreement between Citizens Telecommunications Company of Idaho and Edge Wireless, LLC, Case No. CTC-T-03-1, is approved.

IT IS FURTHER ORDERED that the amendment to a previously approved interconnection agreement between Qwest Corporation and Sprint Communications Company, L.P., Case No. SPR-T-01-1, is approved.

IT IS FURTHER ORDERED that the amendment to a previously approved interconnection agreement between Qwest Corporation and Covad Communications Company, Case No. USW-T-99-3, is approved.

IT IS FURTHER ORDERED that the amendment to a previously approved interconnection agreement between Qwest Corporation and Preferred Carrier Services, Inc., Case No. QWE-T-01-15, is approved.

IT IS FURTHER ORDERED that the amendment to a previously approved interconnection agreement between Qwest Corporation and WaveSent LLC, Case No. QWE-T-03-7, is approved.


IT IS FURTHER ORDERED that the interconnection agreement between Qwest Corporation and AltiComm, Inc., Case No. QWE-T-03-17, is approved.

IT IS FURTHER ORDERED that the interconnection agreement and amendment between Qwest Corporation and LSSi Corp, Case No. QWE-T-03-19, are approved.

IT IS FURTHER ORDERED that the interconnection agreement and amendment between Verizon Northwest, Inc. and MCImetro Access Transmission Services, Case No. VZN-T-03-7, are approved.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in these Case Nos. CTC-T-03-1, SPR-T-01-1, USW-T-99-3, QWE-T-01-15, QWE-T-03-7, QWE-T-03-17, QWE-T-03-19 and VZN-T-03-7 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in these cases. 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 20th
day of October 2003.



PAUL KJELLANDER, PRESIDENT

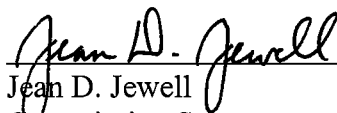


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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