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Attorney for the Commission Staff

BEFORE  THE  IDAHO  PUBLIC  UTILITIES  COMMISSION

IN THE MATTER OF THE JOINT APPLICATION)CASE  NO.  USW-T-98-9

OF U S WEST COMMUNICATIONS, INC. AND)

CTC TELECOM, INC. FOR APPROVAL OF AN)COMMENTS OF THE

INTERCONNECTION AGREEMENT PURSUANT)COMMISSION STAFF

TO 47 U.S.C. § 252(e).)

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COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Cheri C. Copsey, Deputy Attorney General, in response to Order No. 27684, issued August 26, 1998, submits the following comments.

On August 14, 1998, in accordance with the Telecommunications Act of 1996,

U S WEST Communications, Inc. and CTC Telecom, Inc., a competitive local exchange company, jointly applied to Commission for approval of a negotiated Interconnection Agreement.  47 U.S.C. § 252 (e)(1).  The Agreement was reached through voluntary negotiation.

Under the terms of the 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 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.  47 U.S.C. § 252 (e)(2)(A).  If the Commission does not act to approve or reject the agreement within 90 days after its submission, the agreement is deemed approved.  47 U.S.C. § 252 (e)(4).  The Commission’s decision is not reviewable by the state courts.  Id.

STAFF ANALYSIS

Staff found that the language and terms of this Agreement are generally similar to and consistent with agreements between U S WEST and other telecommunications companies.  Most recently, U S WEST had interconnection agreements with ELI and AT&T.  Some of the rates included in this Agreement are different than those in either the AT&T or ELI agreements.  Some are higher while others are lower.  Staff does not conclude, however, that these differences constitute terms that are discriminatory or preferential to either party.

Therefore, Staff finds the Agreement is consistent with the public interest, convenience and necessity and does not discriminate.

STAFF RECOMMENDATION

Staff recommends this Interconnection Agreement be approved as filed.

DATED  at Boise, Idaho, this            day of September 1998.

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Cheri C. Copsey

Deputy Attorney General

Technical Staff:  Wayne Hart

CC:WH:gdk/umisc/comments/uswt989.ccw