(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE JOINT APPLICA­TION OF CLARK COMMUNICATIONS, INC. AND U S WEST COMMUNICATIONS FOR APPROVAL OF AN AGREEMENT FOR INTERCONNECTION —TYPE 1 PAGING—PURSUANT TO 47 U.S.C. § 252(e).    IN THE MATTER OF THE JOINT APPLICA­TION OF CLARK COMMUNICATIONS, INC. AND U S WEST COMMUNICATIONS FOR APPROVAL OF AN AGREEMENT FOR INTERCONNECTION —TYPE 2 WIRELESS—PURSUANT TO 47 U.S.C. § 252(e). | )  )  )  )  )  )  )  )  )  )  )  )  )  ) | CASE NO. USW-T-98-11  USW-T-98-12  ORDER NO.  27750 |

On August 17, 1998, U S WEST Communications, Inc. (U S WEST) and Clark Communications, Inc., a provider of paging and wireless services, submitted a Joint Application for approval of two interconnection agreements in accordance with Section 252(e) of the Federal Telecommunications Act.  The first agreement is a Type I Paging Interconnection Agreement and was assigned Case No. USW-T-98-11.  The second agreement is a Type II Wireless Interconnection Agreement, Case No. USW-T-98-12.  The Companies indicated both agreements had been reached through voluntary negotiations and claimed the agreements were consistent with the public interest, convenience and necessity.  They requested the Commission approve the agreements without a hearing or intervention by other parties.

Section 252 provides that such agreements are to be submitted to state commissions for approval.  Agreements adopted through negotiation may only be rejected if the state commission finds that:

(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience and necessity:

On August 27, 1998, the Commission issued a Notice of Modified Procedure and Notice of Joint Application to process both cases.  Only the Staff filed written comments during the comment period.

Staff reviewed the language of the paging agreement and found the terms and conditions to be essentially the same as those included in the other Type I Paging Interconnection Agreement previously submitted to this Commission.  Staff concluded that the terms and conditions in this agreement are not discriminatory.  Likewise, Staff reviewed the language of the wireless agreement and found the terms and conditions to be similar to those included in other wireless interconnection agreements previously submitted to this Commission.  Staff concluded that the terms and conditions in this agreement are not discriminatory. Staff concurred with the Companies’ claim that both agreements are consistent with the pro-competitive policies of the Commission, the Idaho Legislature, and the Telecommunications Act of 1996, and therefore are consistent with the public interest.  Staff recommended the Commission approve both interconnection agreements as filed.

Based on the record, including the recommendation of Staff, we find that the Type I Paging Interconnection Agreement, Case No. USW-T-98-11, should be approved.  We also find that the Type II Wireless Interconnection Agreement, Case No. USW-T-98-12, should be approved.

O R D E R

IT IS HEREBY ORDERED that the Type I Paging Interconnection Agreement and the Type II Wireless Agreement between U S WEST Communications, Inc. and Clark Communications, Inc. are approved.  Terms of the Agreements that are not already in effect shall be effective as of the date of this Order.

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. USW-T-98-11 and USW-T-98-12  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 Case Nos. USW-T-98-11 and USW-T-98-12 .  Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration.  See Idaho Code § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of September 1998.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

bls/O:USW-T-98-11.ws2

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

September 25, 1998