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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  ­­  COMMENTS OF THE  COMMISSION STAFF |

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 has been assigned Case No. USW-T-98-11.  The second agreement is a Type II Wireless interconnection agreement and has been assigned 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 indicates 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:

A.USW-T-98-11  Type I Paging Interconnection Agreement

Staff reviewed the language of this 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 concludes that the terms or conditions in this agreement are not discriminatory.  Staff concurs with the companies’ claim that the agreement is consistent with the pro-competitive policies of the Commission, the Idaho Legislature, and the Telecommunications Act of 1996, and therefore is consistent with the public interest.

B.USW-T-98-12  Type II Wireless Interconnection Agreement

Staff reviewed the language of this agreement and found the terms and conditions to be similar to those included in the other wireless interconnection agreements previously submitted to this Commission.  Staff concludes that the terms or conditions in this agreement are not discriminatory.  Staff concurs with the companies’ claim that the agreement is consistent with the pro-competitive policies of the Commission, the Idaho Legislature, and the Telecommunications Act of 1996, and therefore is consistent with the public interest.

STAFF RECOMMENDATION

Staff recommends the Commission approve both of these interconnection agreements as filed.

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

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Weldon B. Stutzman

Deputy Attorney GeneralTechnical Staff:  Wayne Hart

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