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

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF THE JOINT APPLICA­TION OF DAKOTA SERVICES, LTD. AND U S WEST COMMUNICATIONS FOR APPROVAL OF AN AGREEMENT FOR INTERCONNECTION PURSUANT TO 47 U.S.C. § 252(e).  | )))))))) |  CASE NO.  USW-T-98-13ORDER NO.  27872 |

On September 21, 1998, Dakota Services, LTD. and U S WEST Communica­tions, Inc. (U S WEST) filed an Application for approval of an interconnection agreement arrived at through voluntary negotiations.  The Agreement is submitted for approval pursuant to 47 U.S.C. § 252(e) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the Act). The Agreement is a resale interconnection agreement and will enable Dakota Services to resell U S WEST’s services in the local telecommunications market.

 Section 252(e)(2) of the Act directs that a state Commission may reject an agreement reached through voluntary negotiations only if the Commission finds that

(i)the agreement (or portions 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.

The parties assert that the Agreement does not discriminate against other telecommunication carriers and that it is consistent with the public interest, convenience and necessity.

On October 13, 1998, the Commission issued a Notice of Joint Petition and Notice of Modified Procedure to process the petition.  Only the Commission Staff filed comments, recommending approval of the interconnection agreement.

Staff reviewed the agreement between the parties to determine that it is consistent with the requirements of the Telecommunications Act.  Based on the recommendation of the Staff, we find that the agreement between Dakota Services and U S WEST should be approved.

O R D E R

IT IS HEREBY ORDERED that the Interconnection Agreement between U S WEST Communications, Inc. and Dakota Services, LTD. is approved.  Terms of the agreement 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 this Case No. USW-T-98-13 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 this Case No. USW-T-98-13.  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 January 1999.

                                                                                                                                       DENNIS S. HANSEN, PRESIDENT

                                                                                            RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

vld/O:USW-T-98-13.ws2

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

January 14, 1999