

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF CITIZENS TELECOMMUNICATIONS) **CASE NO. CTC-T-13-04**
COMPANY OF IDAHO FOR APPROVAL OF)
ITS INTERCONNECTION AGREEMENT)
WITH NOEL COMMUNICATIONS, INC.,)
PURSUANT TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION)
OF FRONTIER COMMUNICATIONS) **CASE NO. VZN-T-13-04**
NORTHWEST INC. FOR APPROVAL OF ITS)
INTERCONNECTION AGREEMENT WITH)
NOEL COMMUNICATIONS, INC.,)
PURSUANT TO 47 U.S.C. § 252(e))

IN THE MATTER OF THE APPLICATION)
OF CENTURYTEL OF THE GEM STATE,) **CASE NO. CGS-T-13-05**
INC. DBA CENTURYLINK FOR APPROVAL)
OF ITS INTERCONNECTION AGREEMENT)
WITH METROPOLITAN)
TELECOMMUNICATIONS OF IDAHO, INC.)
DBA METTEL, PURSUANT TO 47 U.S.C. §)
252(e))

IN THE MATTER OF THE APPLICATION)
OF CENTURYTEL OF IDAHO, INC. DBA) **CASE NO. CEN-T-13-05**
CENTURYLINK FOR APPROVAL OF ITS)
INTERCONNECTION AGREEMENT WITH)
METROPOLITAN)
TELECOMMUNICATIONS OF IDAHO, INC.)
DBA METTEL, PURSUANT TO 47 U.S.C. §)
252(e))

IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION DBA) **CASE NO. USW-T-99-26**
CENTURYLINK QC FOR APPROVAL OF) **ELI-T-99-2**
AMENDMENTS TO ITS)
INTERCONNECTION AGREEMENT WITH)
ELECTRIC LIGHTWAVE, LLC, PURSUANT)
TO 47 U.S.C. § 252(e)) **ORDER NO. 32949**

IN THE MATTER OF THE APPLICATION)
OF QWEST CORPORATION DBA) **CASE NO. QWE-T-06-02**
CENTURYLINK QC FOR APPROVAL OF)
AN AMENDMENT TO ITS)
INTERCONNECTION AGREEMENT WITH)
360NETWORKS (USA), INC. NKA ZAYO)
GROUP, LLC, PURSUANT TO 47 U.S.C. §)
252(e)

In these cases the Commission is asked to approve Interconnection Agreements and amendments to Interconnection Agreements. With this Order, the Commission approves the Interconnection Agreements and amendments to the Interconnection Agreements.

BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996 (“the Act”), interconnection agreements, including amendments thereto, 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 a 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 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 provision of Section 251(b) or (c).” Order No. 28427 at 11 (emphasis in 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 APPLICATIONS

1. Citizens Telecommunications Company of Idaho and Noel Communications, Inc., Case No. CTC-T-13-04. On November 12, 2013, CTC submitted an Application for approval of its Interconnection Agreement with Noel. In this Application, the parties request that the Commission approve the terms and conditions for interconnection, ancillary services, and resale of telecommunications services.

2. Frontier Communications Northwest Inc. and Noel Communications, Inc., Case No. VZN-T-13-04. On November 12, 2013, Frontier submitted an Application for approval of

its Interconnection Agreement with Noel. In this Application, the parties request that the Commission approve the terms and conditions for interconnection, ancillary services, and resale of telecommunications services.

3. CenturyTel of the Gem State, Inc. dba CenturyLink and Metropolitan Telecommunications of Idaho, Inc., Case No. CGS-T-13-05. On September 25, 2013, CenturyTel of the Gem State submitted an Application for approval of its Interconnection Agreement with Metropolitan. In the Application, the parties request that the Commission approve the terms and conditions for an agreement that includes interconnection, resale of services, unbundled network elements, and ancillary services. After the initial review of the Application, Staff requested and received clarification of certain terms and conditions.

4. CenturyTel of Idaho, Inc. dba CenturyLink and Metropolitan Telecommunications of Idaho, Inc., Case No. CEN-T-13-05. On September 25, 2013, CenturyTel of Idaho submitted an Application for approval of an Interconnection Agreement with Metropolitan. In the Application, the parties request that the Commission approve the terms and conditions for an agreement that includes interconnection, resale of services, unbundled network elements, and ancillary services. After the initial review of the Application, Staff requested and received clarification of certain terms and conditions.

5. Qwest Corporation dba CenturyLink QC and Electric Lightwave, LLC, Case No. USW-T-99-26/ELI-T-99-2. On November 7, 2013, CenturyLink filed amendments to its Interconnection Agreement with ELI that was originally approved by this Commission on November 29, 1999. *See* Order No. 28242.

The filing seeks to amend the terms, conditions and rates for Intercarrier Compensation between the parties for the exchange of VoIP-PSTN Traffic. Specifically, it sets out Bill and Keep Compensation for Toll VoIP-PSTN traffic as well as Local VoIP-PSTN Traffic. This filing is in compliance with the Federal Communications Commission's Order in Docket No. 01-92, *In the Matter of Developing a Unified Intercarrier Compensation Regime*. The Order delineates the rights and obligations with respect to the exchange of VoIP traffic between CLEC providers and LECs in addition to revised call signaling rules effective December 29, 2011.

6. Qwest Corporation dba CenturyLink QC and 360Networks (USA) inc. nka Zayo Group, LLC, Case No. QWE-T-06-02. On November 7, 2013, CenturyLink filed amendments to

its Interconnection Agreement with 360Networks that was originally approved by this Commission on March 7, 2006. *See* Order No. 29986.

The filing seeks to amend the terms, conditions and rates for Intercarrier Compensation between the Parties for the exchange of VoIP-PSTN Traffic. Specifically, it sets out Bill and Keep Compensation for Toll VoIP-PSTN traffic as well as Local VoIP-PSTN Traffic. This filing is in compliance with the Federal Communications Commission's Order in Docket No. 01-92, *In the Matter of Developing a Unified Intercarrier Compensation Regime*. The Order delineates the rights and obligations with respect to the exchange of VoIP traffic between CLEC providers and LECs in addition to revised call signaling rules effective December 29, 2011.

STAFF RECOMMENDATION

Staff reviewed the Applications and does not find any terms or conditions that it considers to be discriminatory or contrary to the public interest. Staff believes that the interconnection agreements and amendments are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommended the Commission approve the interconnection agreements and amendments.

COMMISSION DECISION

Under the terms of the Telecommunications Act, interconnection agreements, including amendments thereto, must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). However, the Commission's review is limited. 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 and Staff's recommendation, the Commission finds that the Interconnection Agreements and amendments are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the Interconnection Agreements and amendments should be approved. Approval of the Agreements does not negate the responsibility of either party to these Agreements to obtain a Certificate of Public Convenience and Necessity if they are offering local exchange services or to comply 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 Agreement between Citizens Telecommunications Company of Idaho and Noel Communications, Inc., Case No. CTC-T-13-04, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between Frontier Communications Northwest Inc. and Noel Communications, Inc., Case No. VZN-T-13-04, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between CenturyTel of the Gem State, Inc. dba CenturyLink and Metropolitan Telecommunications of Idaho, Inc., Case No. CGS-T-13-05, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between CenturyTel of Idaho, Inc. dba CenturyLink and Metropolitan Telecommunications of Idaho, Inc., Case No. CEN-T-13-05, is approved.

IT IS FURTHER ORDERED that the amendments to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Electric Lightwave, LLC, Case No. USW-T-99-26/ELI-T-99-2, are approved.

IT IS FURTHER ORDERED that the amendments to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and 360Networks (USA) inc. nka Zayo Group, LLC, Case No. QWE-T-06-02, are approved.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of this Order. 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.

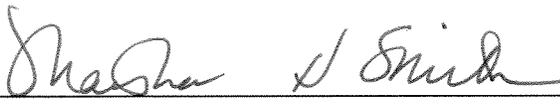
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 17th
day of December 2013.



PAUL KJELLANDER, PRESIDENT

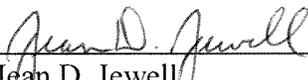


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

O:CTC-T-13-01_VZN-T-13-01_CGS-T-13-05_CEN-T-13-05_USW-T-99-26_QWE-T-06-02_np