

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL  
WORKING FILE

**FROM:** WAYNE HART

**DATE:** OCTOBER 6, 2003

**RE:** STAFF REVIEW OF INTERCONNECTION AGREEMENTS AND AMENDMENTS: CASE NOS. CTC-T-03-1; SPR-T-01-1; USW-T-99-3; QWE-T-01-15; QWE-T-03-7; QWE-T-03-17; QWE-T-03-19; VZN-T-03-7 (AGREEMENT AND AMENDMENT).

### BACKGROUND

Under the provisions of the federal 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 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).

### THE CURRENT APPLICATIONS

1. Citizens Telecommunications Company of Idaho and Edge Wireless, LLC (Case No. CTC-T-03-1). This is a new agreement for Interconnection and Traffic Exchange for Cellular and Other 2-Way Mobile Radio Services. It contains terms that are similar to previously approved agreements that Citizens has with wireless carriers.

2. Qwest and Sprint Communications Company, L.P. (Case No. SPR-T-01-1). This Application is for an amendment to an existing interconnection agreement providing terms for UNE-P line splitting.

3. Qwest and Covad Communications Company (Case No. USW-T-99-3). This Application is for an amendment to add terms for Basic Installation With Cooperative Testing.

4. Qwest and Preferred Carrier Services, Inc. (Case No. QWE-T-01-15). This Application is for an amendment to add terms for participation in Qwest's Performance Assurance Plan.

5. Qwest and WaveSent LLC (Case No. QWE-T-03-7). This Application involves an amendment to an existing paging agreement adding terms for Single Point of Presence.

6. Qwest and AltiComm, Inc. (Case No. QWE-T-03-17). This is an Application to approve a Resale Agreement.

7. Qwest and LSSi Corp (Case No. QWE-T-03-19). This is an Application for approval of an amendment to an existing agreement for Directory Assistance List Information. The underlying agreement, dated July 28, 1998, is also submitted for review and approval. The Company's Application states it does not believe the agreement or amendment fall under the filing requirements of Section 252, but that it was filing them for Commission review in accordance with its "broad standard" to ensure compliance with Section 252.

8. Verizon Northwest, Inc. and MCImetro Access Transmission Services (Case No. VZN-T-03-7). The Company filed two Applications in this case, one for the underlying agreement and one for an amendment that added amended terms for collocation. In the original agreement, MCImetro is adopting the terms of the ICG Telecom California agreement, pursuant to the GTE/Bell Atlantic merger conditions.

#### **STAFF ANALYSIS**

The Staff has reviewed these Applications and did not find any terms and conditions that it considers to be discriminatory or contrary to the public interest.

Staff has reviewed the terms of the Qwest-LSSi Directory Assistance Information agreement and also questions whether this agreement is subject to the filing requirements of Section 252. While directory assistance information is not specifically identified in the items covered under Section 252, directory services and directory listings provided to CLECs are items subject to the requirements of Section 252. Staff supports the Company's decision to take a cautious and conservative approach to this requirement. Staff does not find any of the terms and conditions of this agreement to be discriminatory or contrary to the public interest.

Staff believes that the Agreements and Amendments are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal

Telecommunications Act of 1996. Accordingly, Staff believes that the Agreements and Amendments to previously approved interconnection agreements merit the Commission's approval.

**COMMISSION DECISION**

Does the Commission wish to approve the Applications for Approval of the Interconnection Agreements and Amendments listed above?



Wayne Hart

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