

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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

**IN THE MATTER OF THE APPLICATION OF)
FRONTIER COMMUNICATIONS) CASE NO. VZN-T-09-03
NORTHWEST INC. FOR APPROVAL OF)
AMENDMENTS TO ITS INTERCONNECTION)
AGREEMENT WITH ENTELEGENT)
SOLUTIONS, INC., PURSUANT TO 47 U.S.C. §)
252(e))**

**IN THE MATTER OF THE APPLICATION OF)
FRONTIER COMMUNICATIONS) CASE NO. VZN-T-08-02
NORTHWEST INC. FOR APPROVAL OF)
AMENDMENTS TO ITS INTERCONNECTION)
AGREEMENT WITH BULLSEYE TELECOM)
INC., PURSUANT TO 47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION OF)
FRONTIER COMMUNICATIONS) CASE NO. VZN-T-06-04
NORTHWEST INC. FOR APPROVAL OF)
AMENDMENTS TO ITS INTERCONNECTION)
AGREEMENT WITH ERNEST)
COMMUNICATIONS, INC., PURSUANT TO)
47 U.S.C. § 252(e))**

**IN THE MATTER OF THE APPLICATION OF)
FRONTIER COMMUNICATIONS) CASE NO. VZN-T-05-03
NORTHWEST INC. FOR APPROVAL OF)
AMENDMENTS TO ITS INTERCONNECTION)
AGREEMENT WITH TRANS NATIONAL)
COMMUNICATIONS INTERNATIONAL,) ORDER NO. 32595
INC., PURSUANT TO 47 U.S.C. § 252(e))**

IN THE MATTER OF THE APPLICATION OF)
FRONTIER COMMUNICATIONS) CASE NO. VZN-T-02-06
NORTHWEST INC. FOR APPROVAL OF)
AMENDMENTS TO ITS INTERCONNECTION)
AGREEMENT WITH ONEEIGHTY)
NETWORKS, PURSUANT TO 47 U.S.C. §)
252(e))

IN THE MATTER OF THE APPLICATION OF)
FRONTIER COMMUNICATIONS) CASE NO. GTE-T-98-04
NORTHWEST INC. FOR APPROVAL OF)
AMENDMENTS TO ITS INTERCONNECTION)
AGREEMENT WITH CLARKS)
ELECTRONICS DBA CLARKS)
COMMUNICAITONS PURSUANT TO 47)
U.S.C. § 252(e))

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

BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996, 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 APPLICATION

1. CenturyLink QC and Metropolitan Telecommunications of Idaho, Inc., Case No. QWE-T-05-05. On June 28, 2012, CenturyLink submitted an Application seeking approval of

Amendments to its Interconnection Agreement with Metropolitan. The parties' original Agreement was initially approved by the Commission on May 5, 2005. *See* Order No. 29776. In the Application, the parties request that the Commission approve modifications to the terms and conditions of Attachment 2 of the parties' Interconnection Agreement.

2. Frontier Communications Northwest and Entelegent Solutions, Inc., Case No. VZN-T-09-03. On June 21, 2012, Frontier submitted an Application seeking the Commission's approval of Amendments to the parties' Interconnection Agreement, initially approved by the Commission on December 30, 2009. *See* Order No. 30971. This filing was precipitated by the recent USF/ICC Transformation Order released by the Federal Communications Commission (FCC), issued on November 18, 2011, enacting new rules for Intercarrier Compensation for Wireless Traffic. *See* FCC 11-161. As a result, intercarrier compensation for non-access telecommunications traffic exchanged between carriers and competitive local exchange carriers will transition to a default "bill-and-keep" methodology for traffic exchanged on or after July 1, 2012. The proposed Amendment discloses new rates, terms and conditions in accordance with the FCC's Transformation Order.

3. Frontier Communications Northwest and BullsEye Telecom, Inc., Case No. VZN-T-08-02. On June 21, 2012, Frontier submitted an Application seeking the Commission's approval of Amendments to the parties' Interconnection Agreement, initially approved by the Commission on July 3, 2008. *See* Order No. 30589. This filing was precipitated by the recent USF/ICC Transformation Order released by the Federal Communications Commission (FCC), issued on November 18, 2011, enacting new rules for Intercarrier Compensation for Wireless Traffic. *See* FCC 11-161. As a result, intercarrier compensation for non-access telecommunications traffic exchanged between carriers and competitive local exchange carriers will transition to a default "bill-and-keep" methodology for traffic exchanged on or after July 1, 2012. The proposed Amendment discloses new rates, terms and conditions in accordance with the FCC's Transformation Order.

4. Frontier Communications Northwest and Ernest Communications, Inc., Case No. VZN-T-06-04. On June 21, 2012, Frontier submitted an Application seeking the Commission's approval of Amendments to the parties' Interconnection Agreement, initially approved by the Commission on May 18, 2006. *See* Order No. 30046. This filing was precipitated by the recent USF/ICC Transformation Order released by the Federal Communications Commission (FCC),

issued on November 18, 2011, enacting new rules for Intercarrier Compensation for Wireless Traffic. *See* FCC 11-161. As a result, intercarrier compensation for non-access telecommunications traffic exchanged between carriers and competitive local exchange carriers will transition to a default “bill-and-keep” methodology for traffic exchanged on or after July 1, 2012. The proposed Amendment discloses new rates, terms and conditions in accordance with the FCC’s Transformation Order.

5. Frontier Communications Northwest and Trans National Communications International, Inc., Case No. VZN-T-05-03. On June 21, 2012, Frontier submitted an Application seeking the Commission’s approval of Amendments to the parties’ Interconnection Agreement, initially approved by the Commission on July 28, 2005. *See* Order No. 29836. This filing was precipitated by the recent USF/ICC Transformation Order released by the Federal Communications Commission (FCC), issued on November 18, 2011, enacting new rules for Intercarrier Compensation for Wireless Traffic. *See* FCC 11-161. As a result, intercarrier compensation for non-access telecommunications traffic exchanged between carriers and competitive local exchange carriers will transition to a default “bill-and-keep” methodology for traffic exchanged on or after July 1, 2012. The proposed Amendment discloses new rates, terms and conditions in accordance with the FCC’s Transformation Order.

6. Frontier Communications Northwest and OneEighty Networks, Case No. VZN-T-02-06. On June 21, 2012, Frontier submitted an Application seeking the Commission’s approval of Amendments to the parties’ Interconnection Agreement, initially approved by the Commission on June 10, 2002. *See* Order No. 29047. This filing was precipitated by the recent USF/ICC Transformation Order released by the Federal Communications Commission (FCC), issued on November 18, 2011, enacting new rules for Intercarrier Compensation for Wireless Traffic. *See* FCC 11-161. As a result, intercarrier compensation for non-access telecommunications traffic exchanged between carriers and competitive local exchange carriers will transition to a default “bill-and-keep” methodology for traffic exchanged on or after July 1, 2012. The proposed Amendment discloses new rates, terms and conditions in accordance with the FCC’s Transformation Order.

7. Frontier Communications Northwest and Clarks Electronics dba Clarks Communications, Case No. GTE-T-98-04. On June 21, 2012, Frontier submitted an Application seeking the Commission’s approval of Amendments to the parties’ Interconnection Agreement,

initially approved by the Commission on January 15, 1999. *See* Order No. 27875. This filing was precipitated by the recent USF/ICC Transformation Order released by the Federal Communications Commission (FCC), issued on November 18, 2011, enacting new rules for Intercarrier Compensation for Wireless Traffic. *See* FCC 11-161. As a result, intercarrier compensation for non-access telecommunications traffic exchanged between carriers and competitive local exchange carriers will transition to a default “bill-and-keep” methodology for traffic exchanged on or after July 1, 2012. The proposed Amendment discloses new rates, terms and conditions in accordance with the FCC’s Transformation Order.

STAFF RECOMMENDATION

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

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 the Staff’s recommendations, the Commission finds that the amendments to the Interconnection Agreement are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the amendments to the Agreements, reviewed by Staff and more fully described above, 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 Amendments to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Metropolitan Telecommunications of Idaho, Inc., Case No. QWE-T-05-05, are approved.

IT IS FURTHER ORDERED that the Amendments to the Interconnection Agreement between Frontier Communications Northwest Inc. and Entelegent Solutions Inc., Case No. VZN-T-09-03, are approved.

IT IS FURTHER ORDERED that the Amendments to the Interconnection Agreement between Frontier Communications Northwest Inc. and BullsEye Telecom Inc., Case No. VZN-T-08-02, are approved.

IT IS FURTHER ORDERED that the Amendments to the Interconnection Agreement between Frontier Communications Northwest Inc. and Ernest Communications Inc., Case No. VZN-T-06-04, are approved.

IT IS FURTHER ORDERED that the Amendments to the Interconnection Agreement between Frontier Communications Northwest Inc. and Trans National Communications International, Inc., Case No. VZN-T-05-03, are approved.

IT IS FURTHER ORDERED that the Amendments to the Interconnection Agreement between Frontier Communications Northwest Inc. and OneEighty Networks, Case No. VZN-T-02-06, are approved.

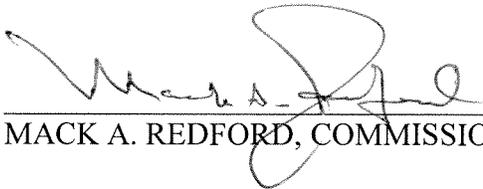
IT IS FURTHER ORDERED that the Amendments to the Interconnection Agreement between Frontier Communications Northwest Inc. and Clarks Electronics dba Clarks Communications, Case No. GTE-T-98-04, are approved.

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 19th
day of July 2012.



PAUL KJELLANDER, PRESIDENT



MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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