

DECISION MEMORANDUM

TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: CAROLEE HALL

DATE: DECEMBER 11, 2008

RE: QWEST COMMUNICATIONS CORPORATION (“QCC”) ADOPTION OF
THE INTERCONNECTION AGREEMENT BETWEEN COVISTA, INC.
AND VERIZON NORTHWEST, INC. (“VERIZON”);
CASE NO. VZN-T-08-5.

BACKGROUND

Under the provision 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). 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.

CURRENT APPLICATION

On December 5, 2008, Verizon Northwest, Inc. (“Verizon”) and Qwest Communication Corporation (“QCC”), filed an Agreement to adopt the current Interconnection Agreement between Verizon Northwest, Inc. and Covista, Inc. (“Covista”).

DISCUSSION

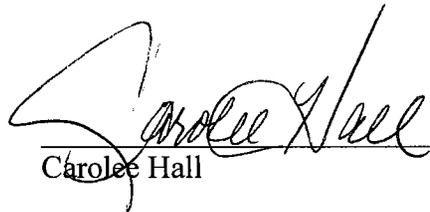
The various elements of the Covista Agreement being adopted by QCC are: Reciprocal Compensation Termination Traffic; Resale Services; Prices for Unbundled Network Elements; Collocation Rates; and various other interconnection and wholesale rates.

STAFF ANALYSIS

Staff has reviewed the Agreement with exhibits between Verizon and QCC and finds them compatible with federal and state guidelines. Moreover, Staff believes that this filing is consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff recommends that the Commission approve the Agreement.

COMMISSION DECISION

Does the Commission wish to approve the Agreement between Verizon and QCC?



Carolee Hall

i:\udmemos\adoption of interconnection agreements\vzn0805 VERIZON AND QCC adoption of the Verizon and Covista, Inc. Agreement.