

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE

**FROM:** GRACE SEAMAN

**DATE:** JULY 20, 2007

**RE:** ALBION TELEPHONE COMPANY'S APPROVAL OF NEGOTIATED AGREEMENT; CASE NO. ALB-T-07-03.

### 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).

### CURRENT APPLICATION


On July 6, 2007, Albion Telephone Company, Inc. submitted an Application for Approval of Negotiated Agreement with NTCH-Idaho, Inc. d/b/a Clear Talk (Clear Talk). In this Application, the parties request that the Commission approve an agreement which establishes the traffic subject to reciprocal compensation between the Commercial Mobile Radio Service (CMRS) network of Clear Talk and the Local Exchange Carrier (LEC) network of Albion related to the exchange of Section 251(b)(5) traffic for two-way mobile service as defined in 47 U.S.C. § 153(27).

## STAFF ANALYSIS

Staff has reviewed the Application and does not find that any terms or conditions are discriminatory or contrary to the public interest. Staff believes that the Application is consistent with the FCC orders and pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommends Commission approval of the Application for Approval of Amendment to the Interconnection Agreement.

## COMMISSION DECISION

Does the Commission wish to approve this Application?

  
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Grace Seaman

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