

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF CENTURYLINK’S) CASE NO. CGS-T-24-01
APPLICATION FOR APPROVAL OF THE)
COMMERCIAL MOBILE RADIO SERVICES)
AGREEMENT WITH GOLD STAR) ORDER NO. 36293
COMMUNICATIONS, LLC DBA SILVER)
STAR COMMUNICATIONS FOR THE)
STATE OF IDAHO)
)

On July 12, 2024, CenturyTel of the Gem State, Inc. dba CenturyLink and CenturyTel of Idaho, Inc. dba CenturyLink (individually and collectively “CenturyLink”) applied to the Idaho Public Utilities Commission (“Commission”) for an Order approving a Commercial Mobile Radio Services (“CMRS”) Agreement (“Agreement”) with Gold Star Communications, LLC dba Silver Star Communications for the State of Idaho. With this Order, the Commission approves their Agreement.

BACKGROUND

The federal Telecommunications Act of 1996 (“Act”) permits incumbent local exchange carriers to voluntarily negotiate with a requesting telecommunications carrier for interconnection, services, or network support. 47 U.S.C. § 252(a)(1). Under the Act, interconnection agreements, including any amendments to them, must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). The Commission may reject a voluntarily negotiated agreement only if it finds that: (1) the agreement discriminates against a telecommunications carrier not a party to the agreement; or (2) implementing the agreement is inconsistent with the public interest, convenience and necessity. 47 U.S.C. § 252(e)(2)(A). Companies voluntarily entering into interconnection agreements “may negotiate terms, prices and conditions that do not comply with either the [Federal Communications Commission] rules or with the provisions of Section 251(b) or (c).” Order No. 28427 at 11. This comports with the Federal Communications Commission’s rule 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

The Application indicates that the Agreement was submitted for the Commission's approval pursuant to Section 252(e) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. The Application states that the Agreement was entered into voluntarily without the need for mediation or arbitration. The Agreement also sets out specific rates, terms, conditions for interconnections, and establishes a two-way traffic for customers.

STAFF RECOMMENDATION

The Commission Staff ("Staff") reviewed the Application and Agreement and believes the terms and conditions are not discriminatory or contrary to the public interest. Staff also believes the Agreement 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 Application.

COMMISSION DECISION

Under the terms of the Telecommunications Act, interconnection agreements must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). 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.

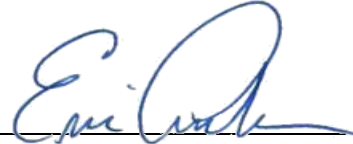
Based upon our review of the Application and Staff's recommendation, the Commission finds that the Agreement is consistent with the public interest, convenience, and necessity and does not discriminate. Therefore, the Commission finds that the Application should be approved. Approval of this Application does not negate the parties' responsibility to obtain a Certificate of Public Convenience and Necessity if they plan to offer local exchange services, or to comply with *Idaho Code* §§ 62-604 and 62-606 if they plan to provide other non-basic local telecommunications services as defined by *Idaho Code* § 62-603.

ORDER

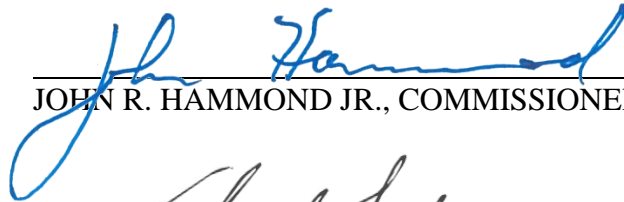
IT IS HEREBY ORDERED that the Agreement of CenturyTel of Idaho, Inc. dba CenturyLink and CenturyTel of the Gem State, Inc. dba CenturyLink with Gold Star Communications, LLC dba Silver Star Communications for the State of Idaho is approved.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order about any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* §§ 61-626 and 62-619.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 20th day of August 2024.



ERIC ANDERSON, PRESIDENT

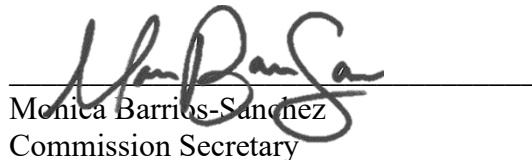


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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