

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION) CASE NO. TML-T-22-01
OF TDS METROCOM, LLC FOR)
APPROVAL OF AN INTERCONNECTION) ORDER NO. 35390
AGREEMENT WITH PROJECT MUTUAL)
TELEPHONE COOPERATIVE)
ASSOCIATION INC.)

On April 11, 2022, TDS Metrocom, LLC (“Company”) filed an Application seeking approval for an interconnection agreement (“Agreement”) negotiated with Project Mutual Telephone Cooperative Association, Inc. The Agreement established terms, conditions, and pricing for local interconnection and the exchange of local traffic for the State of Idaho.

TELECOMMUNICATIONS ACT OF 1996

Under the provisions of the federal Telecommunications Act of 1996, any interconnection agreement adopted by negotiation or arbitration must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). The Commission may reject an agreement adopted by negotiation 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)(i)-(ii).

STAFF RECOMMENDATION

Staff reviewed the Agreement and believed the terms were not discriminatory nor contrary to the public interest. Staff also believed the Agreement was consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff recommended that the Commission approve the Application.

COMMISSION DECISION

Under 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. *Id.*

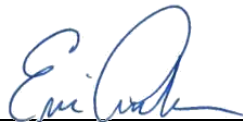
Based upon our review of this case, the Commission finds that the Agreement is consistent with the public interest, convenience, necessity, and does not discriminate. Therefore, the Commission finds that the Application should be approved. Our approval of the Application does not negate either party's responsibility to obtain a Certificate of Public Convenience and Necessity if they offer local exchange services, nor the obligation to comply with *Idaho Code* §§ 62-604 and 62-606 if they provide other non-basic local telecommunications services as defined by *Idaho Code* § 62-603.

ORDER

IT IS HEREBY ORDERED that the Application of TDS Metrocom, LLC and Project Mutual Telephone Cooperative Association, Inc., Case No. TML-T-22-01, 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 upon this Order regarding 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. *See Idaho Code* §§ 61-626 and 62-619.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 2nd day of May 2022.



ERIC ANDERSON, PRESIDENT

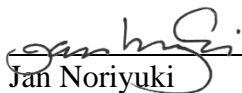


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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