## **DECISION MEMORANDUM**

TO:

**COMMISSIONER KJELLANDER** 

COMMISSIONER SMITH COMMISSIONER HANSEN COMMISSION SECRETARY COMMISSION STAFF

**LEGAL** 

**WORKING FILE** 

FROM:

**JOE CUSICK** 

DATE:

JUNE 27, 2003

CEN-7-03-01

**SUBJECT:** 

CENTURYTEL'S ADVICE NO. 03-06 TO ADD A NEW TARIFF

TO PROVIDE WIRELESS LOCAL TERMINATION TARIFF

On June 2, 2003, CenturyTel of Idaho filed this Tariff Advice to add a new Tariff, IPUC No. 13, to apply to intraMTA (Major Trading Area) traffic originated by Commercial Mobile Radio Service (CMRS) providers licensed by the FCC who do not have interconnection agreements with the Company and who terminate traffic to end user subscribers of the Company. The tariff applies to mobile-to-land local traffic that transits a third party tandem provider. Existing and future interconnection agreements and/or terminating traffic agreements between the CMRS provider and the Company will supercede any provision of this tariff. The proposed effective date of the tariff is July 2, 2003.

Since receipt of this tariff, Staff has received numerous calls from wireless providers expressing concerns. Some of the concerns include: the rates proposed, the proper jurisdiction for determining these rates, whether or not interconnection agreements are the proper and preferred methods for determining these rates, and the fact that this issue is currently being litigated before the FCC.

While Staff does not wish to address the merits of any of these issues at this time, Staff does believe that enough questions and concerns have been raised to warrant suspension of this tariff advice so that it may be processed by Modified Procedure.

## STAFF RECOMMENDATION

Staff recommends that this CenturyTel Advice 03-06 be suspended and put out for comments on Modified Procedure.

## **COMMISSION DECISION**

Does the Commission wish to accept Staff's recommendation?

Joe Cusick Usuk

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