

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF THE APPLICATION )  
 OF CENTURYTEL OF THE GEM STATE – ) **CASE NO. CGS-T-14-02**  
 IDAHO, INC. DBA CENTURYLINK FOR )  
 APPROVAL OF ITS INTERCONNECTION )  
 AGREEMENT WITH CENTURYLINK )  
 COMMUNICATIONS, LLC FOR THE STATE )  
 OF IDAHO, PURSUANT TO 47 U.S.C. § 252(e) )

IN THE MATTER OF THE APPLICATION )  
 OF CENTURYTEL OF IDAHO, INC. DBA ) **CASE NO. CEN-T-14-02**  
 CENTURYLINK FOR APPROVAL OF ITS )  
 INTERCONNECTION AGREEMENT WITH )  
 CENTURYLINK COMMUNICATIONS, LLC )  
 FOR THE STATE OF IDAHO, PURSUANT )  
 TO 47 U.S.C. § 252(e) )

IN THE MATTER OF THE APPLICATION )  
 OF QWEST CORPORATION DBA ) **CASE NO. QWE-T-10-06**  
 CENTURYLINK QC SEEKING APPROVAL )  
 OF AMENDMENTS TO ITS CENTURYLINK )  
 LOCAL SERVICE PLATFORM (CLSP) )  
 AGREEMENT WITH DISHNET WIRELINE, )  
 LLC FKA LIBERTY-BELL TELECOM, LLC )  
 PURSUANT TO 47 U.S.C. § 252(e) )

IN THE MATTER OF THE APPLICATION )  
 OF QWEST CORPORATION, DBA ) **CASE NO. QWE-T-12-05**  
 CENTURYLINK QC, SEEKING APPROVAL )  
 OF AMENDMENTS TO ITS )  
 INTERCONNECTION AGREEMENT WITH ) **ORDER NO. 33091**  
 FARMERS MUTUAL TELEPHONE )  
 COMPANY, PURSUANT TO 47 U.S.C. § )  
 252(e) )

In these cases the Commission is asked to approve newly negotiated Interconnection Agreements and amendments to previously approved Interconnection Agreements. With this Order, the Commission approves the Interconnection Agreements and amendments to the Interconnection Agreements.

## BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996 (“the Act”), interconnection agreements, including amendments thereto, 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.

## THE APPLICATION

1. CenturyTel of the Gem State – Idaho, Inc. and CenturyLink Communications, LLC, Case No. CGS-T-14-02. On July 25, 2014, the Commission received the aforementioned Application seeking approval of the Interconnection Agreement between CenturyTel of the Gem State and CenturyLink Communications. The Application states that the Agreement was reached through voluntary negotiations without resort to mediation or arbitration and submitted for approval pursuant to Section 252(e) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. The Agreement sets out rates, terms and conditions for local interconnection, collocation, local resale, and purchase of Unbundled Network Elements (UNE).

2. CenturyTel of Idaho, Inc. and CenturyLink Communications, LLC, Case No. CEN-T-14-02. On July 25, 2014, the Commission received the aforementioned Application seeking approval of the Interconnection Agreement between CenturyTel of Idaho and CenturyLink Communications. The Application states that the Agreement was reached through voluntary negotiations without resort to mediation or arbitration and submitted for approval pursuant to Section 252(e) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. The Agreement sets out rates, terms and conditions for local interconnection, collocation, local resale, and purchase of UNE.

3. Qwest Corporation dba CenturyLink QC and dishNET Wireline, LLC, Case No. QWE-10-06. On June 16, 2014, CenturyLink submitted an Application for Commission approval to amend its CenturyLink Local Services Platform (“CLSP”) Agreement with dishNET. The original Agreement was approved by the Commission on October 20, 2010. *See* Order No. 32097. This CLSP amends the terms and conditions and extends the Agreement end date to December 31, 2015.

4. Qwest Corporation dba CenturyLink QC and Farmers Mutual Telephone Company, Case No. QWE-T-12-05. On July 16, 2014, CenturyLink submitted an Application to amend the Interconnection Agreement with FMTC originally approved by the Commission on August 1, 2012. *See* Order No. 32608. The parties seek Commission approval to add terms and conditions for Mid-Span Meet P01 (point of interface).

#### **STAFF RECOMMENDATION**

Staff reviewed the Applications and does not find any terms or conditions that it considers to be discriminatory or contrary to the public interest. Staff believes that the Agreements are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommended the Commission approve the Agreements and amendments.

#### **COMMISSION DECISION**

Under the terms of the Telecommunications Act, interconnection agreements, including amendments thereto, must be submitted to the Commission for approval. 47 U.S.C. § 252(e)(1). However, 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 the Applications and the Staff’s recommendation, the Commission finds that the Agreements and amendments are consistent with the public interest, convenience and necessity and do not discriminate. Therefore, the Commission finds that the Agreements should be approved. Approval of the Agreements does not negate the responsibility of either party to these Agreements to obtain a Certificate of Public Convenience and Necessity if they are offering local exchange services or to comply with *Idaho Code* §§ 62-604 and 62-606

if they are providing other non-basic local telecommunications services as defined by *Idaho Code* § 62-603.

### **ORDER**

IT IS HEREBY ORDERED that the Interconnection Agreement between CenturyTel of the Gem State-Idaho, Inc. dba CenturyLink and CenturyLink Communications, LLC, Case No. CGS-T-14-02, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement between CenturyTel of Idaho, Inc. dba CenturyLink and CenturyLink Communications, LLC, Case No. CEN-T-14-02, is approved.

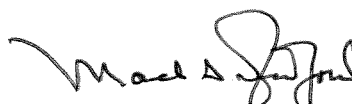
IT IS FURTHER ORDERED that the amendments to the CenturyLink Local Service Platform (CLSP) Agreement between Qwest Corporation dba CenturyLink QC, and dishNET Wireline, LLC fka Liberty-Bell Telecom, LLC, Case No. QWE-T-10-06, are approved.

IT IS FURTHER ORDERED that the amendments to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Farmers Mutual Telephone Company, Case No. QWE-T-12-05, are approved.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of 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 13<sup>th</sup>  
day of August 2014.

  
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PAUL KJELLANDER, PRESIDENT

  
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MACK A. REDFORD, COMMISSIONER

  
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MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
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Jean D. Jewell  
Commission Secretary

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