

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION OF)
QWEST CORPORATION AND BG) CASE NO. QWE-T-01-23
ENTERPRISES, INC. FOR APPROVAL OF AN)
AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE APPLICATION OF)
QWEST CORPORATION AND BIG SKY) CASE NO. QWE-T-02-13
TELECOM, INC. FOR APPROVAL OF AN)
AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE APPLICATION OF)
QWEST CORPORATION AND SBC LONG) CASE NO. QWE-T-04-21
DISTANCE, INC. DBA AT&T LONG)
DISTANCE FOR APPROVAL OF AN)
AMENDMENT TO AN EXISTING)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE APPLICATION OF)
QWEST CORPORATION AND IDAHO) CASE NO. QWE-T-06-23
WIRELESS, INC. FOR APPROVAL OF AN)
INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE APPLICATION OF)
VERIZON NORTHWEST INC. AND YMAX) CASE NO. VZN-T-06-07
COMMUNICATIONS CORP. FOR APPROVAL)
OF AN INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).)**

**IN THE MATTER OF THE APPLICATION OF)
VERIZON NORTHWEST INC. AND) CASE NO. VZN-T-06-08
360NETWORK (USA) INC. FOR APPROVAL)
OF AN INTERCONNECTION AGREEMENT)
PURSUANT TO 47 U.S.C. § 252(e).) ORDER NO. 30170**

In these cases, the Commission is asked to approve amendments to existing and previously approved interconnection agreements, a newly negotiated Paging Connection Service Agreement, and newly negotiated interconnection agreements. With this Order the Commission approves the Applications.

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). 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 CURRENT APPLICATIONS

1. Qwest Corporation and BG Enterprises, Inc. (Case No. QWE-T-01-23). Qwest and BG Enterprises, Inc. submitted a joint Application for approval to amend their interconnection agreement, which was approved by the Commission on December 18, 2001. The amendment to the interconnection agreement states that the parties are jointly filing and that this amendment was reached through voluntary negotiations without resort to mediation. This is an amendment to the resale agreement between Qwest and BG Enterprises, Inc. The agreement amends the terms and conditions for Qwest digital subscriber line (Qwest DSL), as set forth in Attachment 1 and Exhibit A, attached and incorporated into the filing.

2. Qwest Corporation and Big Sky Telecom, Inc. (Case No. QWE-T-02-13). This Application seeks approval of the TRO and TRRO. This amendment adds terms to implement the provisions of the FCC’s TRO and TRRO decisions. The Commission has previously approved the amendment in other cases.

3. Qwest Corporation and SBC Long Distance, Inc. dba AT&T Long Distance (Case No. QWE-T-04-21). This Application seeks approval of a Collocation Decommission Amendment, which adds terms, conditions and rates related to collocation decommission. The Commission has previously approved this amendment in other cases.

4. Qwest Corporation and Idaho Wireless, Inc. (Case No. QWE-T-06-23). Qwest filed its Application between the companies on October 18, 2006. Qwest states that the Agreement was jointly entered into between Qwest and Idaho Wireless, Inc. and provides customers with increased choices among local paging services.

5. Verizon Northwest Inc. and YMax Communications Corp. (Case No. VZN-T-06-07). This Application seeks approval of a new interconnection agreement and Amendment No. 1 to that agreement. The agreement is essentially similar to other Verizon interconnection agreements approved by this Commission. The Amendment implements the changes to the standard agreement to comply with the TRO/TRRO.

6. Verizon Northwest Inc. and 360networks (USA) Inc. (Case No. VZN-T-06-08). This Application seeks approval of the agreement between Verizon and 360networks (USA) Inc. to adopt the terms of the agreement between Verizon and Covista, Inc. The Commission approved the Verizon-Covista agreement in Order No. 29971.

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 Applications are consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act of 1996. Accordingly, Staff recommended Commission approval of the Applications.

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. *Id.* Based upon our review of the Applications and the Staff's recommendation, the Commission finds that the Agreements are consistent with the public interest, convenience and

necessity and do not discriminate. Therefore, the Commission finds that the Applications should be approved. However, approval of these Applications does not negate the responsibility of either of the parties 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 amended Interconnection Agreement of Qwest Corporation and BG Enterprises, Inc., Case No. QWE-T-01-23, is approved.

IT IS FURTHER ORDERED that the amendment to the Interconnection Agreement of Qwest Corporation and Big Sky Telecom, Inc., Case No. QWE-T-02-13, is approved.

IT IS FURTHER ORDERED that the amendment to the Interconnection Agreement of Qwest Corporation and SBC Long Distance, Inc, dba AT&T Long Distance, Case No. QWE-T-04-21, is approved.

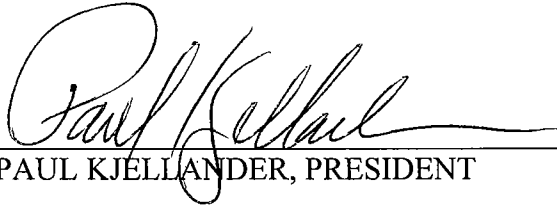
IT IS FURTHER ORDERED that the Type 1 and Type 2 Paging Agreement of Qwest Corporation and Idaho Wireless, Inc., Case No. QWE-T-06-23, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement and Amendment No. 1 of Verizon Northwest Inc. and YMax Communications Corp., Case No. VZN-T-06-07, is approved.

IT IS FURTHER ORDERED that the Interconnection Agreement of Verizon Northwest Inc. and 360networks (USA) Inc., Case No. VZN-T-06-08, 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 with regard to 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.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 1st
day of November 2006.



PAUL KJELLANDER, PRESIDENT

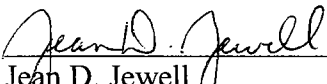


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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