

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER REDFORD  
COMMISSIONER SMITH  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE

**FROM:** GRACE SEAMAN

**DATE:** APRIL 9, 2014

**RE:** APPLICATION TO AMEND THE CENTURYLINK LOCAL  
SERVICE PLATFORM AGREEMENT WITH IONEX  
COMMUNICATIONS NORTH, INC. DBA BIRCH  
COMMUNICATIONS; CASE NO. QWE-T-04-19.

### 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).

### CURRENT APPLICATION

On March 26, 2014, Qwest Corporation dba CenturyLink QC submitted an Application for Commission approval to amend the CenturyLink Local Services Platform (“CLSP”) Agreement with Ionex Communications North, Inc. dba Birch Communications (“Ionex”). This Agreement was formerly entered into with Lightyear Network Solutions, LLC (“Lightyear”) and approved by the Commission on August 2, 2004. *See* Order No. 29559. Lightyear was later purchased by Ionex. This CLSP amendment modifies rates and extends the Agreement to December 31, 2016.

## STAFF ANALYSIS AND RECOMMENDATION

Staff has reviewed the Application and does not find that any terms or conditions are discriminatory or contrary to the public interest. Staff believes the Application is consistent with the FCC orders and pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommends Commission approval of the amendment to the CLSP Agreement.

## COMMISSION DECISION

Does the Commission agree?

  
Grace Seaman

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