

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

BACKGROUND

Under the provisions of the federal Telecommunications Act of 1996, 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. Additionally, local exchange carriers are required to “make available any interconnection, service, or network element provided . . . to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement.” 47 U.S.C. § 252(i).

THE CURRENT APPLICATIONS

1. Verizon Northwest Inc. and Bandwidth.com CLEC, LLC (Case No. VZN-T-08-01). In this Application, the parties seek the Commission’s approval of an Interconnection Agreement that includes various terms and conditions pertaining to unbundled network elements, ancillary services, and the resale of telecommunications services.

2. Verizon Northwest Inc. and Metropolitan Telecommunications of Idaho, Inc. dba METTEL (Case No. VZN-T-07-01). In this Application, the parties seek the Commission’s approval of an amendment to an Interconnection Agreement initially approved by the Commission on February 27, 2007. *See* Order No. 30257. The proposed amendment would alter the terms governing the intercarrier compensation rates for transport and termination of traffic.

3. Qwest Corporation and Bandwidth.com CLEC, LLC (Case No. QWE-T-08-01).

In this Application, the parties seek the Commission's approval of an Interconnection Agreement that includes terms and conditions for network elements, interconnection, additional services, traffic exchange, collocation, 911 services and pricing.

4. Qwest Corporation and Transnational Communications International, Inc. (Case No. QWE-T-05-09). In this Application, the parties seek the Commission's approval of an amendment to an Interconnection Agreement initially approved by the Commission on May 5, 2005. *See* Order No. 29776. The proposed amendment would replace the current Agreement between the parties with the QWEST Local Services Platform Agreement ("QLSP").

5. Qwest Corporation and 1-800 Reconex, Inc. dba USTel (Case No. QWE-T-04-12). In this Application, the parties seek the Commission's approval of an amendment to an Interconnection Agreement initially approved by the Commission on June 24, 2004. *See* Order No. 29530. The proposed amendment would alter the original Agreement by adopting certain provisions of Qwest's Local Services Platform Agreement (QLSP) including, but not limited to, certain combinations of network elements, ancillary functions, and additional features such as the local loop, port, switching and shared transport. The filing also includes attachments outlining definitions, service description, performance targets for service and rates under the QLSP.

6. Qwest Corporation and Ionex Communications North, Inc. fka Advanced Communications Group and FirsTel, Inc. (Case No. USW-T-00-10). In this Application, the parties seek the Commission's approval of an amendment to an Interconnection Agreement initially approved by the Commission on June 13, 2000. *See* Order No. 28396. The proposed amendment would alter the original Agreement by adopting Qwest's Local Services Platform Agreement (QLSP) and transfer certain combinations of network elements, ancillary functions, and additional features such as the local loop, port, switching and shared transport. The filing also includes an attachment that provides for definitions of the QLSP, as well as performance measures, rates, terms and conditions for each element agreed to by the parties.

STAFF RECOMMENDATION

The Staff reviewed the Applications and did not find any terms or conditions that it considered to be discriminatory or contrary to the public interest. Staff believes that the Agreements and amendments are consistent with the pro-competitive policies of this

Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff recommended that the Commission approve the aforementioned Applications.

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). The Commission's review is limited, however. 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 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 Agreements should be approved. Approval of these Agreements 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 interconnection agreement between Verizon Northwest Inc. and Bandwidth.com CLEC, LLC, Case No. VZN-T-08-01, is approved.

IT IS FURTHER ORDERED that the amendment to the interconnection agreement between Verizon Northwest Inc. and Metropolitan Telecommunications of Idaho, Inc. dba METTEL, Case No. VZN-T-07-01, is approved.

IT IS FURTHER ORDERED that the amendment to the interconnection agreement between Qwest Corporation and Bandwidth.com CLEC, LLC, Case No. QWE-T-08-01, is approved.

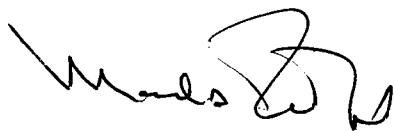
IT IS FURTHER ORDERED that the amendment to the interconnection agreement between Qwest Corporation and Transnational Communications International, Inc., Case No. QWE-T-05-09, is approved.

IT IS FURTHER ORDERED that the amendment to the interconnection agreement between Qwest Corporation and 1-800 Reconex, Inc. dba USTel fka Advanced Communications Group and FirsTel, Inc., Case No. QWE-T-04-12, is approved.

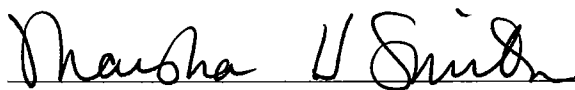
IT IS FURTHER ORDERED that the amendment to the interconnection agreement between Qwest Corporation, Case No. USW-T-00-10, is approved.

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 *11th* day of April 2008.



MACK A. REDFORD, PRESIDENT

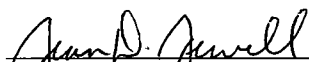


MARSHA H. SMITH, COMMISSIONER



JIM D. KEMPTON, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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