

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE JOINT APPLICATION )**  
**OF VERIZON NORTHWEST AND MCI )** **CASE NO. VZN-T-03-6**  
**WORLDCOM COMMUNICATIONS, INC. FOR )**  
**APPROVAL OF AN INTERCONNECTION )**  
**AGREEMENT PURSUANT TO 47 U.S.C. § 252(e). )** **ORDER NO. 29322**  
**)**

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In this case, the Commission has been asked to approve an interconnection agreement between Verizon Northwest and MCI Worldcom Communications, Inc.

**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 provisions of Section 251(b) or (c).” Order No. 28427 at 11 (emphasis 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 APPLICATION**

In this Application, the parties request that the Commission approve an interconnection agreement. MCI Worldcom wishes to adopt in its entirety the terms of the ICG Telecom California agreement pursuant to the GTE/Bell Atlantic merger conditions in accordance with Paragraph 31(a) of the Merger Conditions released by the FCC on June 16, 2000 in CC Docket No. 98-184. The parties have also attached a copy of the agreement that appears to have some rates that are more competitively priced.

## STAFF RECOMMENDATION

The Staff has reviewed this Application and did not find any terms and conditions to be discriminatory or contrary to the public interest. Staff believes that this interconnection agreement is consistent with the pro-competitive policies of this Commission, the Idaho Legislature, and the federal Telecommunications Act. Accordingly, Staff believes that the Application merits the Commission's approval.

## 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, 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 this Application, Staff's recommendation and on the fact no other person commented on it, the Commission finds that the above interconnection agreement between Verizon Northwest and MCI Worldcom Communications, Inc. is consistent with the public interest, convenience and necessity and does not discriminate. Therefore, the Commission finds that this Application should be approved.

## ORDER

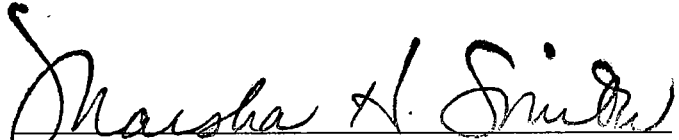
IT IS HEREBY ORDERED that the interconnection agreement between Verizon Northwest and MCI Worldcom Communications, Inc. is approved.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No. VZN-T-03-6 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 or in interlocutory Orders previously issued in this case. 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 21<sup>st</sup>  
day of August 2003.



PAUL KJELLANDER, PRESIDENT

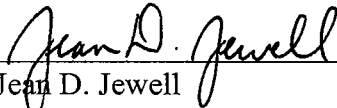


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

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