



State of Utah
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Division of Public Utilities

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June 26, 2006

TO: PUBLIC SERVICE COMMISSION

FROM: DIVISION OF PUBLIC UTILITIES

Constance B. White, Director
Wes Huntsman, Manager, Telecommunications
Casey J. Coleman, Technical Consultant

Re: Docket No. 06-049-43 In the Matter of the Petition of Qwest for Approval of Interconnection Agreements to Implement FCC Ruling in T-Mobile Order.

RECOMMENDATION:

The Division recommends that the Commission schedule a hearing to allow Dixie Communications (“Dixie”) and Old West Paging (“Old West”) a chance to provide evidence as to why they have not entered into an interconnection agreement with Qwest.

ISSUES:

On March 17, 2006 Qwest Corporation (“Qwest”) filed a petition with the Commission asking for the Commission to issue an order approving the Type 1 and Type 2 Paging interconnection agreement. This petition was filed as an effort to get some type of contract between Dixie, Old West and Qwest.

Qwest has been trying to negotiate an agreement with the parties but so far has not had any success in getting the paging companies to the table to discuss the contract. Qwest has delivered a copy of this petition to both paging companies.

In early April, the Division contacted a representative from the paging company in Salina, Utah. The Division explained that there had been a petition filed by Qwest to have an interconnection agreement in place between both parties. The Division explained briefly the regulatory environment in Utah and also how the Division could assist in this proceeding including any questions the companies might have about the petition and why Qwest would be asking for the interconnection agreement.

After that initial phone conversation, the Division has not had any further requests for help of clarification from Dixie or Old West.

The Division is aware of the necessity of Qwest to have an interconnection agreement with the parties as a result of the "T-Mobile" order and recognizes the difficult position an incumbent local exchange carrier has in getting an agreement negotiated if the other party is unwilling to enter into discussions.

Because of this "difficult position" that Qwest is in, the Division recommends that the Commission establish a hearing to allow one "final" chance for Dixie to discuss the interconnection agreement. If Dixie or Old West does not respond to the hearing, then the Division would recommend an order from the Commission approving the interconnection agreement submitted by Qwest.