



State of Utah  
Department of Commerce  
Division of Public Utilities

FRANCINE GIANI  
*Executive Director*

THAD LEVAR  
*Deputy Director*

CHRIS PARKER  
*Director, Division of Public Utilities*

GARY HERBERT.  
*Governor*  
GREGORY S. BELL  
*Lieutenant Governor*

**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Chris Parker, Director  
Bill Duncan, Telecommunications/Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** June 09, 2011

**Re:** In the Matter of the Interconnection Agreement between Qwest Corporation and IPDataStream LLC. Docket No.11-049-31.

---

**RECOMMENDATION (deny):**

The Division recommends that the interconnection agreement in this docket be denied until a CPCN is applied for and granted to IPDataStream LLC.

**EXPLANATION:**

On June 02, 2011, Qwest Corporation filed the Interconnection Agreement per the above-referenced docket in accordance with § 54-8b-2.2(1)(d) of the *Utah Code*. To date, IPDataStream LLC. has not filed with the Public Service Commission a request to obtain a Certificate of Public Convenience and Necessity "CPCN".

Because IPDataStream LLC. has not filed for a CPCN and does not have permission from the Commission to serve within the State of Utah, the Division recommends that the interconnection agreement in this docket be denied until a CPCN is granted.

cc: L.T. Christensen, Director-Wholesale Contracts, Qwest Corporation  
Jon Newell, CEO, IPDataStream LLC.