

**Minnesota Public Utilities Commission**  
*Staff Briefing Paper*

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Meeting Date: June 9, 2016 ..... \* Agenda Item # 1

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Companies: Federated Telephone Cooperative & CenturyLink EQ

Docket No. P-523, 430/IC-16-351  
In the Matter an Interconnection Agreement between Federated Telephone  
Cooperative and CenturyLink EQ

Issues: Should the Commission approve Federated’s and CenturyLink’s joint requests to  
adopt and amend the Hutchinson-CenturyLink interconnection agreement (ICA)?

Staff: Kevin O’Grady.....651-201-2218

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***Relevant Documents***

*Order Approving Adoption of Interconnection Agreements* (15-1020)..... April 12, 2016  
Federated-CenturyLink Joint Petition (to Adopt and Amend ICA)..... April 22, 2016  
Federated-CenturyLink Joint Petition (to Further Amend ICA)..... April 22, 2016  
DOC Comments..... May 2, 2016

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The attached materials are work papers of Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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## *Filing Summary*

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**On January 29, 2016**, in Docket 16-94, Federated Telephone Cooperative petitioned the Commission to adopt, pursuant to § 252(i) of the Telecommunications Act of 1996 (Act), the Hutchinson-CenturyLink ICA that had been approved by the Commission on August 21, 2015, in Docket 14-189.

**On April 12, 2016**, the Commission approved Federated's adoption request.

**On April 22, 2016**, Federated and CenturyLink jointly filed two separate petitions. The **first** petition seeks approval to adopt and amend the Hutchinson-CenturyLink ICA. The **second** petition seeks to further amend the Hutchinson-CenturyLink ICA.

**On May 2, 2016**, the Minnesota Department of Commerce (DOC) filed comments recommending approval of the Companies' petitions.

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## *The Petitions*

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The **first** petition seeks Commission approval of the adoption by Federated of the Hutchinson-CenturyLink ICA as well as an amendment to that ICA to (1) change the Company name in the adopted ICA and (2) specify a date certain when the ICA expires.

The **second** petition seeks approval to amend the adopted ICA to modify terms regarding Governing Law and Dispute Resolution.

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## *Staff Comment*

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**First Submission.** The Companies' first submission can be viewed as two distinct requests: (1) a request to adopt an ICA (pursuant to § 252(i)) and (2) a request to amend that adopted ICA (pursuant to § 252(e)).

With respect to the adoption request, Staff recommends denial because the adoption request has already been approved by the Commission's April 12, 2016, Order in Docket 15-1020. There is no need to re-approve the adoption. A redundant approval may lead to the confusion as to the Commission's decision and cloud the paper trail for carriers and agency staff interested in ICAs.

Staff believes that the amendments (the name change and the establishment of a specific termination date) meet the requirements of § 252(e) of the Act: they do not discriminate against carriers that are not party to the ICA, and they are not inconsistent with the public interest.

**Second Submission.** The second submission seeks to amend the language regarding Governing Law and Dispute Resolution. Staff agrees with the DOC that these proposed amendments meet the requirements of § 252(e).

### *Commission Options:*

1. Reject the Companies' adoption request as unnecessary given the Commission's prior approval of the adoption request on April 12, 2016, in Docket 15-1020. Approve the amendments sought in both submissions as meeting the standards set forth in § 252(e) of the Act.
2. Take other action.

Staff recommends option #1.