

Service Date

December 19, 1996 BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF GTE NORTHWEST INCORPORATED TARIFF ADVICE NO. 96-09 TO ADD RATES, TERMS AND CONDITIONS FOR INTRALATA EQUAL ACCESS	) CASE NO. GTE-T-96-1
	) ORDER NO. 26730
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On May 22, 1996, GTE Northwest, Inc. (GTE) filed Tariff Advice No. 96-09 to provide rates, terms and conditions for implementation of intraLATA equal access in its Idaho service territory. GTE proposed an effective date of June 24, 1996, for the proposed tariffs. On June 7, 1996, the Commission suspended the filing and subsequently issued a Notice of Modified Procedure.

On July 2, 1996, AT&T Communications (AT&T) filed a request for a hearing. On July 19, 1996, the Commission issued a Notice of Prehearing Conference set for August 25, 1996. Petitions to Intervene were filed by MCI Telecommunications Corporation (MCI), AT&T, U S WEST Communications, Inc. (U S WEST), the Idaho Telephone Association (ITA), Century Telephone Enterprises, Inc. and TDS Telcom (Century/TDS). All intervenors except ITA appeared at the prehearing conference.

At the prehearing conference, the parties agreed to terms to allow the continued processing of GTE's Tariff Advice No. 96-09. The stipulation called for temporary approval of the tariff, continued discussions among the parties, and the filing of a progress report with the Commission by October 25, 1996 to inform the Commission whether a hearing was required to resolve any remaining issues. On August 30, 1996, the Commission issued Order No. 26587 approving the agreement of the parties and providing for temporary approval of GTE's tariff until December 20, 1996.

On October 24, 1996, GTE provided a progress report to the Commission indicating that the parties had resolved most if not all of the remaining issues regarding the tariff. GTE stated its belief that no hearing was required, and no other party requested a hearing.

On November 29, 1996, GTE filed a Motion to Lift Temporary Status and Approve Tariff. GTE's Motion states that GTE and AT&T reached a Settlement Agreement resolving the issues concerning the parties. A copy of the Settlement Agreement is attached to the Motion. In view of the settlement, GTE asked that the Commission lift its temporary approval of Tariff Advice No. 96-09 and finally approve the tariff. Staff recommended approval of the tariff, so long as GTE modifies its tariff by December 20, 1996 to provide wording changes recommended by Staff.

Based on the record in this case we find that the rates, terms and conditions of GTE's Tariff Advice No. 96-09 are just and reasonable and should be approved.

**ORDER**

IT IS HEREBY ORDERED that GTE's Tariff Advice No. 96-09 to provide rates, terms and conditions for implementation of intraLATA equal access in its Idaho service territory is approved. GTE is directed to file a final tariff to provide terms consistent with its agreement with AT&T and the concerns identified by Staff.

THIS IS A FINAL ORDER. Any person interested in 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.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this day of December 1996.

RALPH NELSON, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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