

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 20-138

TDS TELECOMMUNICATIONS LLC

**Interconnection Agreement Between TDS Telecommunications LLC and
Level 3 Communications, LLC**

Order *Nisi* Approving Amendment to Interconnection Agreement

ORDER NO. 26,926

January 5, 2024

In this order, the Commission approves on a *nisi* basis TDS Telecommunications LLC's request for Commission approval of an amendment to its interconnection agreement with Level 3 Communications, LLC, pursuant to 47 U.S.C § 252(e).

I. BACKGROUND

On September 28, 2023, TDS Telecommunications LLC (TDS Telecom) and Level 3 Communications, LLC (Level 3) filed a joint request for the Commission to approve, pursuant to 47 U.S.C. §252(e), an amendment to an interconnection agreement between the two companies (Amendment Proposal). The Commission approved the original interconnection agreement on October 1, 2020. The Amendment Proposal was made effective as of September 15, 2023, and simply added two TDS Telecom affiliate companies to the terms of the interconnection agreement (Hollis Telephone Company, Inc. and Union Telephone Company). The Amendment Proposal and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2020/20-138.html>.

In the Amendment Proposal, TDS Telecom states that the interconnection agreement is the result of arms-length negotiations between TDS Telecom and Level 3, does not discriminate against any other telecommunications carrier, and is consistent with the public interest, convenience, and necessity, as required by the standards of 47 U.S.C. §252. TDS Telecom also asserted that approval of the interconnection agreement will increase competition and is likely to benefit New Hampshire consumers.

On November 13, 2023, the Commission issued a procedural order requesting that the New Hampshire Department of Energy (DOE) provide its recommendation regarding the Amendment Proposal by December 4, 2023. The DOE filed its recommendation on December 4, 2023, as requested, wherein the DOE stated that it recommends approval of the Amendment Proposal, insofar as the staff of the DOE found no evidence to dispute the arguments made in support of the Amendment Proposal by TDS Telecom. No other comments regarding the Amendment Proposal have been filed in this docket.

II. COMMISSION ANALYSIS

The Federal law standard of 47 U.S.C. §252(e)(2)(A) requires the Commission to approve a negotiated interconnection agreement (including amendments to such agreements) unless it is determined that the agreement, or some portion of it, discriminates against a telecommunications carrier not a party to the agreement or that the implementation of the agreement would not be consistent with the public interest, convenience, and necessity. 47 U.S.C. §252(e)(2)(A).

Having reviewed the Amendment Proposal, we concur with the DOE, and TDS Telecom, that this standard of review has been met, as there is no evidence of a discriminatory impact against other participants in the telecommunications market,

nor any evidence of an adverse impact to the public interest, convenience, and necessity, arising from implementation of the Amendment Proposal. We will therefore approve the Amendment Proposal, on a *nisi* basis, with an effective date of February 2, 2024.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, the proposed amendment to the interconnection agreement between TDS Telecommunications LLC and Level 3 Communications, LLC, as delineated in the Amendment Proposal, is APPROVED; and it is


FURTHER ORDERED, that TDS Telecommunications LLC shall post a copy of this order *nisi* on its website, such notice to be made no later than January 9, 2024, and to be documented by affidavit filed with the Commission on or before January 17, 2024; and it is

FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than January 24, 2024, for the Commission's consideration; and it is

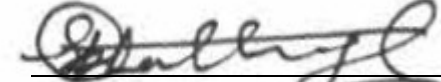
FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than January 31, 2024; and it is

FURTHER ORDERED, that this order shall be effective February 2, 2024, unless TDS Telecom fails to satisfy the publication obligation as set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

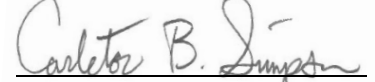
By order of the Public Utilities Commission of New Hampshire this fifth day of
January, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 20-138

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