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# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

DATE: March 20, 2013  
AT (OFFICE): NHPUC

David

**FROM:** David Goyette, Utility Analyst III - Telecommunications

**SUBJECT:** DT 13-024, TDS Telecom  
Traffic Exchange Agreement with United States Cellular Corporation

**TO:** Debra Howland, Executive Director  
Kate Bailey, Director - Telecommunications

On January 23, 2013, TDS Telecommunications Corporation (TDS Telecom) filed a Second Amendment to its traffic exchange agreement with United States Cellular Corporation (US Cellular)<sup>1</sup>. According to the Second Amendment, the initial agreement was dated January 1, 2004. Staff researched to locate any record that the initial agreement, as well as the first amendment, was filed, but was unable to do so. Staff asked TDS Telecom if it had any record that it had filed the agreement and first amendment. TDS Telecom did not respond to this question and gave no indication that it had filed the documents. Staff, therefore, requested TDS Telecom file the agreement and the first amendment in the instant docket.

TDS Telecom submitted its Agreement and First Amendment with US Cellular in this docket on March 11, 2013.

Staff has reviewed the Agreement, First Amendment, and the Second Amendment. The Agreement between TDS Telecom and US Cellular, dated January 1, 2004, contains the terms and conditions for wireless interconnection between TDS Telecom subsidiaries and US Cellular. The agreement identifies the TDS Telecom's subsidiaries as follows:

Kearsarge Telephone Company  
Merrimack County Telephone Company  
Hollis Telephone Company, Inc.  
Wilton Telephone Company, Inc.

The First Amendment, which states an effective date of June 1, 2010, added a provision regarding third party traffic and added an additional subsidiary to the agreement, Union Telephone Company.

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<sup>1</sup> According to its company profile, TDS Telecom and US Cellular are business units of Telephone and Data Systems, Inc. <http://www.tdstelecom.com/about>

The Second Amendment modifies the agreement to conform with the requirements of the Federal Communications Commission (FCC) in its orders, Connect America Fund et al., WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) and Order on Reconsideration, 26 FCC Rcd 17633 (2011) (FCC orders).

Staff recommends the Second Amendment be allowed to go into effect. Pursuant to Section 252, the second amendment becomes effective 90 days after filing (April 20, 2013) if not acted upon by the Commission. The Agreement and the First Amendment, which have been in use since January 1, 2004 and June 1, 2010, respectively, will be posted to the PUC website.