

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request For	)	DOCKET NO. UT-970329
Approval of Negotiated Agreement)	
Under the Telecommunications Act	)	ORDER NO. 02
of 1996 Between)	
)	
VERIZON SELECT SERVICES, INC.)	
f/k/a/ GTE COMMUNICATIONS)	
CORPORATION and QWEST)	
CORPORATION f/k/a U S WEST	)	ORDER OF CORRECTION
COMMUNICATIONS, INC.)	
)	
.....)	
)	
In the Matter of the Request of	)	DOCKET NO. UT-960351
)	
QWEST CORPORATION and	)	ORDER NO. 03
VERIZON NORTHWEST INC.,)	
	)	ORDER APPROVING
For Approval of Negotiated	)	NEGOTIATED FIRST AMENDED
Agreement Under the	)	AGREEMENT ADDING
Telecommunications Act	)	PROVISIONS FOR LOCAL
	)	NUMBER PORTABILITY
.....)	

BACKGROUND

1 This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a negotiated first amended agreement (Amended Agreement) under the Telecommunications Act of 1996 (Telecom Act). The Amended Agreement is between Qwest Corporation (Qwest), and Verizon Northwest, Inc (Verizon). The Commission approved an interconnection agreement between the parties on September 24, 1997.

2 On November 29, 2000, the Commission approved an amendment for resale
services to the interconnection agreement in Docket No. UT-960351. Verizon and
Qwest assert that the amendment should have been approved under Docket No.
UT-970329. Order No. 02, dated November 29, 2000, should be corrected.

3 The Commission ordered that in the event the parties amended their agreement,
the amended agreement would be deemed a new agreement under the Telecom
Act and must be submitted to the Commission for approval. The parties filed a
joint request for approval of a first amendment adding provisions for local
number portability on December 5, 2005.

FINDINGS AND CONCLUSIONS

4 (1) The Commission is an agency of the State of Washington vested by statute
with the authority to regulate public service companies, including
telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and
Chapter 80.36 RCW.*

5 (2) Section 252(e)(1) of the Telecom Act requires parties to a negotiated
agreement to submit the agreement to the Commission for approval.
Section 252(e)(2)(A) states that the Commission may only reject an
agreement (or any portion thereof) adopted by negotiation if it finds that:

6 (i) the agreement (or any portion thereof) discriminates against a
telecommunications carrier not a party to the agreement; or

7 (ii) the implementation of such agreement or portion is not consistent
with the public interest, convenience, and necessity.

- 8 (3) Verizon is engaged in the business of furnishing telecommunications services including, but not limited to, basic local exchange service within the state of Washington.
- 9 (4) Qwest is authorized to provide telecommunications services to the public in the state of Washington.
- 10 (5) The Commission approved an interconnection agreement between the parties on September 24, 1997. The Commission ordered that in the event the parties amended their agreement, the amended agreement would be deemed a new agreement under the Telecom Act and must be submitted to the Commission for approval.
- 11 (6) On November 29, 2000, the Commission approved an amendment for resale services to the interconnection agreement in Docket No. UT-960351. Verizon and Qwest assert that the amendment should have been approved under Docket No. UT-970329. Order No. 02, dated November 29, 2000, should be corrected.
- 12 (7) On December 5, 2005, the parties filed with the Commission a joint request for approval of a first amendment to the previously approved interconnection agreement, pursuant to the Telecom Act.
- 13 (8) The Amended Agreement between Qwest and Verizon was brought before the Commission at its regularly scheduled meeting on January 11, 2006.
- 14 (9) Verizon and Qwest voluntarily negotiated the entire amendment.

- 15 (10) The Amended Agreement does not discriminate against any other telecommunications carrier.
- 16 (11) The Amended Agreement will facilitate local exchange competition in the state of Washington.
- 17 (12) The Amended Agreement is consistent with the public interest, convenience, and necessity.
- 18 (13) The Amended Agreement meets the requirements of Sections 251 and 252 of the Telecom Act, including Section 252(e).
- 19 (14) The laws and regulations of the State of Washington and Commission Orders govern the construction and interpretation of the Amended Agreement. The Amended Agreement is subject to the jurisdiction of the Commission.
- 20 (15) After examination of the proposed Amended Agreement filed by Verizon and Qwest on December 5, 2005, and giving consideration to all relevant matters, the Commission finds the proposed Amended Agreement should be approved.

ORDER

THE COMMISSION ORDERS:

- 21 (1) The Amended Agreement between Qwest Corporation and Verizon Northwest, Inc, which the parties filed on December 5, 2005, is approved and effective as of the date of this Order.

- 22 (2) Docket No. UT-960351, Order No. 02, dated November 29, 2000, is corrected to refer to Docket No. UT-970329.
- 23 (3) In the event that the parties revise, modify, or amend the agreement approved in this Order, the revised, modified, or amended agreement will be deemed to be a new agreement under the Telecom Act and must be submitted to the Commission for approval, pursuant to 47 U.S.C. § 252(e)(1) and relevant provisions of state law, prior to taking effect.
- 24 (4) The laws and regulations of the State of Washington and Commission Orders govern the construction and interpretation of the Amended Agreement. The Amended Agreement is subject to the jurisdiction of the Commission.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 11th day of January, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary