

- 4 (i) the agreement (or any portion thereof) discriminates against a
telecommunications carrier not a party to the agreement; or
- 5 (ii) the implementation of such agreement or portion is not consistent
with the public interest, convenience, and necessity.
- 6 (3) Qwest is engaged in the business of furnishing telecommunications services
including, but not limited to, basic local exchange service within the state of
Washington.
- 7 (4) Qwest Wireless is licensed by the Federal Communications Commission as a
radio communications service provider.
- 8 (5) The Commission approved an interconnection agreement between the parties on
April 8, 1998, a first amended agreement on August 11, 1999, and a second
amended agreement on July 9, 2003. 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.
- 9 (6) On July 23, 2003, the parties filed with the Commission a joint request for
approval of a third amendment to the previously approved interconnection
agreement, pursuant to the Telecom Act.
- 10 (7) The Amended Agreement between Qwest Wireless and Qwest was brought before
the Commission at its regularly scheduled meeting on August 13, 2003.
- 11 (8) Qwest Wireless and Qwest voluntarily negotiated the entire amendment.
- 12 (9) The Amended Agreement does not discriminate against any other
telecommunications carrier.
- 13 (10) The Amended Agreement will facilitate local exchange competition in the state of
Washington.
- 14 (11) The Amended Agreement is consistent with the public interest, convenience, and
necessity.

- 15 (12) The Amended Agreement meets the requirements of Sections 251 and 252 of the Telecom Act, including Section 252(e).
- 16 (13) 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.
- 17 (14) After examination of the proposed Amended Agreement filed by Qwest Wireless and Qwest on July 23, 2003, and giving consideration to all relevant matters, the Commission finds the proposed Amended Agreement should be approved.

ORDER

THE COMMISSION ORDERS:

- 18 (15) The Amended Agreement Qwest Wireless f/k/a U S WEST Wireless and Qwest Corporation, which the parties filed on July 23, 2003, is approved and effective as of the date of this Order.
- 19 (16) 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.
- 20 (17) 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 13th day of August, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary