

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ADVANCED TELCOM GROUP, INC.,)	
)	Docket No. UT-993003
Petitioner,)	
)	ATG's COMMENTS ON
v.)	RECOMMENDED DECISION
)	
U S WEST COMMUNICATIONS, INC.,)	
)	
Respondent.)	
_____)	

Pursuant to the Third Supplemental Order, Advanced TelCom Group, Inc. (“ATG”) provides the following comments on the Recommended Decision. The Recommended Decision in large measure is fully consistent with the Telecommunications Act of 1996, FCC rules and orders, the Commission’s Interpretive and Policy Statement on Section 252(i), and fundamental principles of nondiscrimination and equity. ATG, therefore, generally supports the Recommended Decision and urges the Commission to adopt that Decision with one modification.

Paragraph 45 of the Recommended Decision provides that “either 1) the arrangement expires 90 days after a new agreement between U S WEST and MFS becomes effective, or 2) the arrangement expires contemporaneous with other terms in the ATG Agreement, whichever event occurs first.” ATG is concerned with linking the effectiveness of one provision of its interconnection agreement with possible actions taken by U S WEST and MFS. ATG has no way to determine when or if U S WEST and MFS will execute a replacement agreement. The reciprocal compensation arrangement thus could expire at any time with 90 days notice from

U S WEST and a third party, even though the other provisions of the ATG/U S WEST agreement remain effective, creating considerable and unnecessary uncertainty in the contractual and operational relationship between ATG and U S WEST.

The alternative expiration scenarios in the Recommended Decision, moreover, do not apply to any other carrier that has adopted all or part of the MFS/U S WEST Agreement. To the contrary, the Commission ordered that the MFS reciprocal compensation arrangement be incorporated into the agreement between NEXTLINK and U S WEST with the requirement that the arrangement be subject to the same expiration date as the entire interconnection agreement. *See NEXTLINK v. U S WEST*, Docket No. UT-990340, Commission Order (Sept. 9, 1999) (largely adopting Recommended Decision); Sixth Supp.Order, Recommended Decision at 18 (Aug. 12, 1999) (“the reciprocal compensation arrangement requested by NEXTLINK modifies or amends its agreement, and is subject to the effective period stated in NEXTLINK’s Agreement with U S WEST”). ATG is entitled to the same terms and conditions.

Accordingly, ATG recommends that the Commission modify the Recommended Decision to provide that the reciprocal compensation arrangement remain effective as long as the current ATG/U S WEST Agreement remains effective.

DATED this 20th day of January, 2000.

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By _____
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