



November 12, 2004
Filed Electronically

210 N. Park Ave.
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Ms. Carol J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive, S.W.
Olympia, WA 98404-7250

**RE: TeleWise, LLC (fka Dialtek, LLC)
 Name Change to WA Price List and Petition for Waiver of WAC 480-120-540**

Dear Ms. Washburn:

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Attached please find the electronic name change filing submitted on behalf of TeleWise, LLC (fka Dialtek, LLC). This filing changes the Company's name from Dialtek, LLC to TeleWise, LLC and also petitions the Commission for waiver of WAC 480-120-540. This filing also includes a copy of the name change issued by the Washington Secretary of State. The Company respectfully requests an effective date of November 22, 2004.

The sheets included in this filing are all original.

Any questions you may have regarding this issue may be directed to my attention at (407) 740-8575 or via e-mail at croesel@tminc.com.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Thank you for your assistance.

Sincerely,

Carey Roesel
Consultant to TeleWise, LLC

CR/gs
Enclosure

cc: John Hancock - TeleWise
File: TeleWise – WA Access
TMS: 7174 Waa0401

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)
TeleWise, LLC)
for waiver of WAC 480-120-540)

DOCKET NO. UT-_____
PETITION FOR WAIVER

TeleWise, LLC ("TeleWise") hereby petitions the Commission for waiver of WAC 480-120-540. In support of its Petition, TeleWise states as follows:

1. TeleWise is a facilities-based telecommunications company that the Commission has registered and classified as a competitive telecommunications company to provide intraexchange and interexchange telecommunications services throughout the State of Washington. TeleWise is planning to compete with Qwest, Inc. ("Qwest"), in the provision of local exchange services.

2. On or about September 7, 1999, the Commission entered its Order Denying Petition for Declaratory Order; Granting Waiver of WAC 480-120-540 ("Waiver Order"), in Docket No. UT-990307. In that Order, the Commission "require[d] Petitioners to file price lists for terminating access service at rates not to exceed those charged by U S WEST Communications, Inc., and GTE Northwest Incorporated in their respective service territories."

3. Rather than matching the access rates of the ILEC, TeleWise proposes to file an initial price list with the Commission that establishes rates for terminating switched access service that are based on a limited set of rate elements charged by the Washington Exchange Carriers Association ("WECA"). These rates are identified in attachment A.

ATTACHMENT A

WECA Switched Access Rates

| | |
|--|--------------------|
| Carrier Common Line | \$0.0575400 |
| Universal Service Fund Rate | \$0.0015200 |
| Transport | |
| Fixed | \$0.0116280 |
| Per Mile (assumed 10 miles) | \$0.0060760 |
| Local Switching | <u>\$0.0193035</u> |
| WECA Total | \$0.0960675 |
| | |
| Total proposed by TeleWise (Local Switching and Transport only) | \$0.0370075 |

ATTACHMENT B

FCC Rural Exemption B CLEC Interstate Switched Access Charges

CC Docket No. 96-262; In the Matter of Access Charge Reform, Reform of Access Charges Imposed by Competitive Local Exchange Carriers, SEVENTH REPORT AND ORDER AND FURTHER NOTICE OF PROPOSED RULEMAKING, Adopted April 26, 2001, Released: April 27, 2001

Selected Paragraphs:

76. We conclude that the rural exemption to our benchmark limitation on access charges will be available for a CLEC competing with a non-rural ILEC, where no portion of the CLEC's service area falls within: (1) any incorporated place of 50,000 inhabitants or more, based on the most recently available population statistics of the Census Bureau or (2) an urbanized area, as defined by the Census Bureau.¹⁵⁵ Thus, if any portion of a CLEC's access traffic originates from or terminates to end users located within either of these two types of areas, the carrier will be ineligible for the rural exemption to our benchmark rule. Relying on information that is readily and publicly available, this definition excludes from the exemption those CLECs operating within reasonably dense areas that are not typically considered to be rural. It does not, however, exclude from eligibility entire counties that border high population areas, as would a definition based on MSAs.

80. The final question with respect to the rural exemption is what the access service benchmark is for those carriers that qualify. We adopt the NECA tariff for switched access service as the standard that is the most appropriately reflective of the considerations that should go into pricing the access service of rural CLECs. Accordingly, qualifying rural CLECs may tariff rates at the level of those in the NECA access tariff, assuming the highest rate band for local switching and the transport interconnection charge, *minus* the tariff's carrier common line (CCL) charge if the competing ILEC is subject to our *CALLS Order*. Above this benchmark, rural CLECs will be mandatorily detariffed in their provision of access services.

¹⁵⁵An urbanized area "is a continuously built-up area with a population of 50,000 or more. It comprises one or more places – central place(s) – and the adjacent densely settled surrounding area – urban fringe – consisting of other places and nonplace territory." U.S. Bureau of the Census, GEOGRAPHIC AREAS REFERENCE MANUAL at 12-1; available at <http://www.census.gov/ftp/pub/geo/www/GARM/Ch12GARM.pdf> (visited February 7, 2001). *See also id.* at 12-7 to 12-8 (further discussion of criteria for defining urbanized areas). 405 urbanized areas were defined by the time of the 1990 census. *Id.* at 12-5.

UNITED STATES OF AMERICA

The State of



Washington

Secretary of State

I, **Sam Reed**, Secretary of State of the State of Washington and custodian of its seal,
hereby issue this

certificate that the attached is a true and correct copy of

ARTICLES OF AMENDMENT

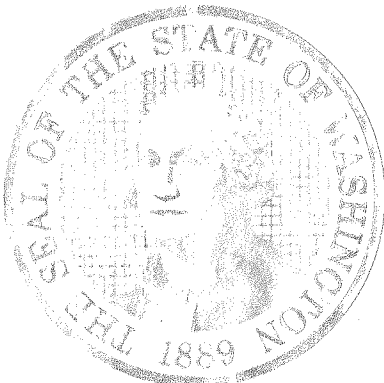
of

DIALTEK, LLC

CHANGING NAME FROM DIALTEK, LLC TO TELEWISE, LLC

as filed in this office on August 16, 2004.

Date: August 16, 2004



Given under my hand and the Seal of the State
of Washington at Olympia, the State Capital

Sam Reed, Secretary of State

STATE of WASHINGTON



SECRETARY of STATE

ARTICLES OF AMENDMENT
LIMITED LIABILITY COMPANY
TITLE 25.15

FILED
SECRETARY OF STATE
SAM REED

AUG 16, 2004

STATE OF WASHINGTON

UBI #: 601 854 270
Phone #: (206) 660-3865

Pursuant to Title 25.15 the Revised Code of Washington, the undersigned does hereby submits the following amendment(s) to the Limited Liability Company's Certificate of Formation.

1. The name of the Limited Liability Company is: Dialtek, LLC

(Note: Limited Liability Company named above must be identical to the records of the Office of the Secretary of State)

2. The text of each amendment(s) as adopted is (are) as follows:
The name of the company is hereby
changed to TeleWise, LLC.

(Attach separate sheet if necessary.)

3. This application will be effective upon filing, unless an extended date and/or time appears here: _____

(Note: Extended effective date may not be set at not more than 90 days beyond the date the document is stamped "Filed" by the Secretary of State)

4. This document is hereby executed under penalties of perjury, and is, to the best of my knowledge true and correct.

Dated: August 12, 2004.

X _____
(Signature of member or manager)
Charles Tower, Managing member
(Type or Print name and title)