Law Office of

Richard A. Finnigan JUL 20 Ph 1: 15

Richard A. Finnigan (360) 956-7001

2405 Evergreen Park Drive SW Suite B-1

Kathy McCrary (360) 753-7012

Olympia, Washington 98502

Fax (360) 753-6862

Paralegal

July 20, 2004

Ms. Carole J. Washburn, Executive Secretary Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive SW Olympia, WA 98504-7250

> Traffic Exchange Agreement Between St. John Co-operative Telephone and Telegraph Company and T-Mobile USA, Inc.

Dear Ms. Washburn:

Enclosed you will find the original and three copies of the above-referenced Traffic Exchange Agreement. St. John Co-operative Telephone and Telegraph Company views the agreement as negotiated pursuant to Section 332 of the Telecommunications Act of 1996. St. John Co-operative Telephone and Telegraph Company did not negotiate this Agreement pursuant to Section 251(c) of the Act and expressly preserves its exemption from Section 251(c) obligations.

However, in light of the generic language in Section 252(e) and the Federal Communications Commission Order FCC 02-276 (WC Docket No. 02-89), pending further clarification from this Commission as to what agreements must be filed for Commission approval (see, e.g., pending Docket UT-033011), this Agreement is filed for approval by the Commission.

Thank you for your attention to the attached

RICHARD A. FINNIGAN

RAF/km **Enclosures** 

cc:

Dan Menser Greg Morasch