

SERVICE DATE

APR 14 1999

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Request For Approval of)	
Negotiated Agreement Under the)	
Telecommunications Act of 1996)	DOCKET UT-990317
Between)	
)	
ACI CORPORATION)	
)	
and)	ORDER APPROVING
)	FULLY NEGOTIATED
GTE NORTHWEST INCORPORATED)	INTERCONNECTION AGREEMENT
.....)	

BACKGROUND

This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a fully negotiated agreement for network interconnection under the Telecommunications Act of 1996. The agreement is between ACI Corporation (ACI), and GTE Northwest Incorporated (GTENW). On March 17, 1999, the parties filed a joint request seeking approval of a fully negotiated agreement for network interconnection (Agreement). The parties executed the Agreement on March 12, 1999.

On April 14, 1999, the Commission convened an open public meeting at its offices in Olympia, Washington, to consider the joint request for approval of the Agreement. At the open meeting, the Commission approved the Agreement.

FINDINGS OF FACT

1. The Commission is an agency of the state of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies.

2. Section 252(e) of the Telecommunications Act of 1996 (Act), requires parties to fully negotiated agreements 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:

- (i) the agreement (or any portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
- (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity.

3. GTENW is engaged in the business of furnishing telecommunications services, including, but not limited to, basic local exchange service within the state of Washington.

4. ACI is authorized to provide intrastate interexchange and local exchange telecommunications services in the state of Washington.

5. On March 17, 1999, the parties filed with the Commission a joint request for approval of a fully negotiated interconnection agreement pursuant to the Act.

6. The parties voluntarily negotiated the entire agreement.

7. The Agreement does not discriminate against any other telecommunications carrier.

8. The Agreement will facilitate local exchange competition in the state of Washington by enabling ACI to enter the local exchange market and provide customers with increased choices among local exchange services.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and all parties.

2. The Agreement is consistent with the public interest, convenience, and necessity.

3. The Agreement meets the criteria of Sections 251 and 252 of the Act, including Section 252(e).

4. The laws, regulations, and Commission Orders of Washington shall govern the construction and interpretation of the Agreement. The Agreement shall also be subject to the jurisdiction of the Commission and the Washington courts.

ORDER

THE COMMISSION ORDERS:

1. The Agreement for network interconnection between ACI Corporation, and GTE Northwest Incorporated, filed on March 17, 1999, is approved.

2. In the event that the parties revise, modify or amend the agreement approved herein, the revised, modified, or amended agreement shall be deemed to be a new negotiated agreement under the Telecommunications Act and shall 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.

3. The laws, regulations, and Commission Orders of Washington shall govern the construction and interpretation of the Agreement. The Agreement shall also be subject to the jurisdiction of the Commission and the Washington courts.

DATED at Olympia, Washington, and effective this 14th day of April, 1999.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARILYN SHOWALTER, Chairwoman



RICHARD HEMSTAD, Commissioner



WILLIAM R. GILLIS, Commissioner