

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the Request for Approval	)	
of Negotiated Agreement Under the	)	
Telecommunications Act of 1996 Between	)	DOCKET NO. UT-023039
	)	
PHONE-LINK, INC.	)	
	)	ORDER APPROVING NEGOTIATED
and	)	AGREEMENT FOR
	)	INTERCONNECTION AND RESALE
UNITED TELEPHONE COMPANY	)	OF SERVICES
OF THE NORTHWEST, INC.	)	
.....	)	
	)	

**BACKGROUND**

1 This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a negotiated agreement for interconnection and the resale of specified exchange services (Agreement) under the Telecommunications Act of 1996 (Telecom Act). The Agreement is between Phone-Link, Inc., (Phone-Link), and United Telephone Company of the Northwest, Inc., (Sprint). The parties filed a joint request for approval of the Agreement on July 1, 2002.

**MEMORANDUM**

2 The Agreement between Phone-Link and Sprint was brought before the Commission at its regularly scheduled open meeting held on August 14, 2002, at its offices in Olympia, Washington. The Commission granted its approval of the Agreement as negotiated and requested by the parties.

**FINDINGS OF FACT**

3 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.

4 Section 252(e)(1) of the Telecom Act requires parties to a negotiated agreement 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:

5 (i) the agreement (or any portion thereof) discriminates against a telecommunications  
carrier not a party to the agreement; or

6 (ii) the implementation of such agreement or portion is not consistent with the public  
interest, convenience, and necessity.

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

8 Phone-Link is not currently authorized to provide telecommunications services in the state of  
Washington.

9 On July 1, 2002, the parties filed with the Commission a joint request for approval of a  
negotiated resale of services agreement pursuant to the Telecom Act.

10 Phone-Link and Sprint voluntarily negotiated the entire Agreement.

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

12 The Agreement will facilitate local exchange competition in the state of Washington by  
enabling Phone-Link to enter the local exchange market and increase customer choices for  
local exchange services.

### CONCLUSIONS OF LAW

13 The Commission has jurisdiction over the subject matter and all parties to this proceeding.

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

15 The Agreement meets the requirements of Sections 251 and 252 of the Telecom Act,  
including Section 252(e).

16 Approval of the Agreement does not in any way waive Phone-Link's requirement to  
become a registered telecommunications service provider in the state of Washington.

17 The laws and regulations of the State of Washington and Commission orders govern the construction and interpretation of the Agreement. The Agreement is subject to the jurisdiction of the Commission.

**ORDER**

THE COMMISSION ORDERS:

18 The Agreement for interconnection and the resale of services between Phone-Link, Inc., and United Telephone Company of the Northwest, Inc., which the parties filed on July 1, 2002, is approved.

19 In the event that the parties revise, modify, or amend the agreement approved herein, the revised, modified, or amended agreement will be deemed to be a new negotiated 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 The laws and regulations of the State of Washington and Commission orders govern the construction and interpretation of the Agreement. The Agreement is subject to the jurisdiction of the Commission.

DATED at Olympia, Washington, and effective this 14<sup>th</sup> day of August, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner