

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of)	DOCKET NO. UT-033017
)	
METROPOLITAN)	ORDER NO. 01
TELECOMMUNICATIONS OF)	
WASHINGTON, INC.,)	
)	
and)	
)	
VERIZON NORTHWEST INC.)	
)	ORDER APPROVING
For Approval of Negotiated)	NEGOTIATED AGREEMENT FOR
Agreement Under the)	INTERCONNECTION AND RESALE
Telecommunications Act of 1996.)	OF SERVICES
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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 Metropolitan Telecommunications of Washington, Inc., (Metropolitan) and Verizon Northwest Inc. (Verizon). The parties filed a joint request for approval of the Agreement on April 30, 2003.
- 2 The parties ask the Commission to allow them to adopt, pursuant to the FCC's Bell Atlantic/GTE Merger Conditions (Merger Conditions), released on June 16, 2000, in CC Docket No. 98-184, an agreement between Verizon and Sprint Communications Company L.P. approved in the state of California. The Agreement is an adoption under the terms of the Merger Conditions and Section 252(i) of the Telecom Act. Therefore, the Commission is treating the request as a fully negotiated agreement.

FINDINGS AND CONCLUSIONS

- 3 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.36 RCW.*
- 4 (2) 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 (3) Verizon is engaged in the business of furnishing telecommunications services including, but not limited to, basic local exchange service within the state of Washington.
- 8 (4) Metropolitan is not currently authorized to provide telecommunications services to the public in the state of Washington. Approval of the agreement does not in any way waive Metropolitan's requirement to become a registered telecommunications company in the state of Washington.
- 9 (5) Pursuant to the terms of the Merger Conditions and section 252(i) on April 30, 2003, the parties filed with the Commission a joint request to adopt the agreement approved by the State of California between Verizon and Sprint Communications Company L.P.

- 10 (6) The Agreement between Metropolitan and Verizon was brought before
the Commission at its regularly scheduled meeting on May 28, 2003.
- 11 (7) The Agreement does not discriminate against any other
telecommunications carrier.
- 12 (8) The Agreement will facilitate local exchange competition in the state of
Washington.
- 13 (9) The Agreement is consistent with the public interest, convenience, and
necessity.
- 14 (10) The Agreement meets the requirements of Sections 251 and 252 of the
Telecom Act, including Section 252(e).
- 15 (11) 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.
- 16 (12) After examination of the proposed Agreement filed by Verizon and
Metropolitan on April 30, 2003, and giving consideration to all relevant
matters, the Commission finds the proposed Agreement should be
approved.

ORDER

THE COMMISSION ORDERS:

- 17 (1) The Agreement for interconnection and resale of services between
Metropolitan Telecommunications of Washington, Inc., and

Verizon Northwest Inc., which the parties filed on April 30, 2003, is approved and effective as of the date of this Order.

- 18 (2) In the event that the parties revise, modify, or amend the agreement approved in this Order, the revised, modified, or amended agreement will be deemed to be a new 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.
- 19 (3) 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.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 28th day of May, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary