

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-013083  
)  
SPRINT COMMUNICATIONS COMPANY, )  
L.P., ) ORDER APPROVING  
) NEGOTIATED AGREEMENT  
and ) FOR INTERCONNECTION  
) AND RESALE OF SERVICES  
VERIZON 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 Sprint Communications Company, L.P. (Sprint) and Verizon Northwest Inc. (Verizon). The parties filed a joint request for approval of the Agreement on September 24, 2001.
- 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 Sprint and Verizon approved in the state of California.

**MEMORANDUM**

- 3 The request of Sprint and Verizon comes before the Commission at its regularly scheduled open meeting held on November 28, 2001, at its offices in Olympia, Washington. Although the parties refer to Verizon's duty to make out-of-state arrangements available to requesting carriers in Washington State pursuant to the Merger Conditions, the Commission approves the request of Sprint and Verizon in this docket as a fully negotiated agreement, pursuant to 47 U.S.C. § 252, state law, and the Commission's rules.

**FINDINGS OF FACT**

- 4 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.

5 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:

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

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

9 Sprint is authorized to provide telecommunications services to the public in the state  
of Washington.

10 On September 24, 2001, the parties filed with the Commission a joint request for  
approval of an agreement for interconnection and resale of services.

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 Sprint 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 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 and the Washington courts.

**ORDER**

17 THE COMMISSION ORDERS:

18 The Agreement for interconnection and resale of services between Sprint  
Communications Company, L.P. and Verizon Northwest Inc., which the parties filed  
on September 24, 2001, 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 and the Washington courts.

DATED at Olympia, Washington, and effective this 29<sup>th</sup> day of November, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner