

**U S WEST, Inc.**  
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COMMUNICATIONS  
DIVISION



**September 20, 1999**

*Via Airborne Express*

**Ms. Carole Washburn  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
Olympia, Washington 98504**

**Re: Docket No. UT-990379  
Revised Pages to Interconnection Agreement between Northwest  
Telephone, Inc. and U S WEST Communications, Inc.**

**Dear Ms. Washburn:**

**Please find enclosed eight (8) copies of Revised Page to the Interconnection Agreement between Northwest Telephone, Inc. ("Northwest") and U S WEST Communications, Inc. ("U S WEST"). This revised pages is being submitted pursuant to a request from Commission staff member Dave Dittmore.**

**Also enclosed is a Request For Approval Of Revised Page To Interconnection Agreement which details the provisions in the Revised Page. The parties respectfully request that this matter be placed on the next Consent Agenda for expedited approval.**

**The Order on Arbitration Procedure also requests that a proposed order accompany the filing. U S WEST requests a waiver of that requirement, and is not providing one with this filing, as the Commission has, in the past, used its own format for Orders. If this is not satisfactory to the Commission please contact me and I will forward a proposed order immediately.**

**Please contact me at (206) 345-1574, or my paralegal, Elizabeth M. Weber at (206) 343-4038, if you have any questions concerning the enclosed. Thank you for your assistance in this matter.**

**Sincerely,**

**Lisa A. Anderl**

**LAA/emw  
Enclosures**

**cc: Kristine Macneal (with enclosures)**

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Request for Approval of Errata )  
Page to Interconnection Agreement Between ) Docket No. UT- 990379  
Northwest Telephone, Inc., L.L.C. and )  
U S WEST Communications, Inc. )  
 ) REQUEST FOR APPROVAL OF  
 ) REVISED PAGE TO  
 ) INTERCONNECTION AGREEMENT  
 ) PER REQUEST FROM COMMISSION  
 ) TO COMPLY WITH FEDERAL  
 ) STANDARDS

**I. INTRODUCTION**

Pursuant to Section III of the Interpretive and Policy Statement Regarding Negotiation, Mediation, Arbitration, and Approval of Agreements under the Telecommunications Act of 1996 ("Interpretive and Policy Statement") issued by this Commission in Docket No. UT-960269, and at the request of Dave Dittmore, Washington Utilities and Transportation Commission ("Commission" or "WUTC") staff, U S WEST Communications, Inc. ("U S WEST ") and Northwest Telephone, Inc. ("Northwest") hereby submit for approval by the Commission the attached Revised Page to the Local Interconnection Agreement. This Revised Page modifies Section (A)3.2, Term of the Agreement, of the original interconnection agreement between

REQUEST FOR APPROVAL  
OF REVISED PAGE TO  
INTERCONNECTION AGREEMENT

1 Northwest and U S WEST. It is being submitted pursuant to a request from Dave Dittmore to  
2 change the terms of the agreement to comply with federal standards.

3 The original Agreement set forth terms, conditions and prices under which U S WEST  
4 agreed to provide services for resale and certain Unbundled Network Elements, Ancillary  
5 Functions and additional features in each LATA in which both U S WEST and Northwest  
6 operate within the state of Washington. The Agreement also had terms, conditions and prices  
7 under which the parties agreed to provide interconnection and reciprocal compensation for the  
8 exchange of local traffic for the purpose of offering telecommunications services. The  
9 Agreement stated that the pricing for these services is subject to the outcome of the  
10 Commission's determination in the Generic Pricing Docket, UT-960369, et al.

11 This Revised Page was prepared to bring the agreement into compliance with federal  
12 standards. All parties have been notified of the new language and have agreed to the new  
13 language. It is submitted for approval pursuant to Section 252(e) of the Communications Act of  
14 1934, as amended by the Telecommunications Act of 1996 (the "Act"), the requirements of the  
15 Commission's Interpretive and Policy Statement, and at the request of Commission staff.

## 16 II. REASONS FOR APPROVAL

17 Section 252(e)(2) of the Act directs that a state commission may reject an Agreement  
18 reached through negotiation and/or arbitration only if the Commission finds that:

- 19 1) The Agreement (or portions thereof) discriminates against a  
20 telecommunications carrier not a party to the Agreement; or
- 21 2) The implementation of such Agreement or portion is not consistent with the  
22 public interest, convenience and necessity.

23 REQUEST FOR APPROVAL  
24 OF REVISED PAGE TO  
INTERCONNECTION AGREEMENT

1 U S WEST and Northwest respectfully submit that the Revised Page provides no basis  
2 for either of these findings and thus request that the Commission approve the Revised Page  
3 expeditiously. First, the Revised Page does not discriminate against any other  
4 telecommunications carrier. There is no finding that the terms of this Revised Page are more  
5 favorable than terms provided to other carriers.

6 Second, the Revised Page is consistent with the public interest as identified in the pro-  
7 competitive policies of the state of Washington, the WUTC, the U.S. Congress and the Federal  
8 Communications Commission. In addition, because this Revised Page does not discriminate  
9 against any other telecommunications carrier, state law policies prohibiting unreasonable  
10 discrimination are preserved by approval of this Revised Page.

11 For the foregoing reasons, U S WEST and Northwest submit that approval of this  
12 Revised Page is warranted because it satisfies the state and federal criteria for approval.

### 13 III. UNDERSTANDING AND AGREEMENT OF PARTIES

14 With respect to the Revised Page, the Parties understand and agree that this Revised Page  
15 modifies Section (A)3.2: Term of the Agreement, of the original agreement, regarding the 160  
16 day negotiation period.

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23 REQUEST FOR APPROVAL  
24 OF REVISED PAGE TO  
INTERCONNECTION AGREEMENT

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**IV. CONCLUSION**

For the foregoing reasons, U S WEST and Northwest respectfully request expeditious approval of the Revised Page. Both Parties request approval earlier than the 90 day time period allowed for by the Interpretive and Policy Statement, in order to facilitate the immediate availability of additional local exchange competition between U S WEST and Northwest.

Respectfully submitted this 20<sup>th</sup> day of September, 1999.

U S WEST Communications, Inc,



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Lisa Anderl  
Senior Attorney  
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1600 7<sup>th</sup> Avenue, Room 3206  
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- (A)3.1.5 The Parties shall work cooperatively to minimize fraud associated with third-number billed calls, calling card calls, and any other services related to this Agreement.
- (A)3.1.6 Nothing in this Agreement shall prevent either Party from seeking to recover the costs and expenses, if any, it may incur in (a) complying with and implementing its obligations under this Agreement, the Act, and the rules, regulations and orders of the FCC and the Commission, and (b) the development, modification, technical installation and maintenance of any systems or other infrastructure which it requires to comply with and to continue complying with its responsibilities and obligations under this Agreement.

### **(A)3.2 Term of Agreement**

This Agreement shall become effective upon Commission approval, pursuant to Sections 251 and 252 of the Act, shall terminate on, August 1, 2001 and shall be binding upon the Parties during that term. After the date specified above, this Agreement shall continue in force and effect until terminated by either Party providing written notice of termination to the other Party. The day the notice is served will determine the starting point for a 160 day negotiation period (in accordance with 252 (b) 1 of the Act). In the event of such termination, existing or pending service arrangements made available under this Agreement shall continue in total without interruption under either a) a new or adoption agreement executed by the Parties, or b) tariff terms and conditions generally available to all Co Providers and resellers.

- (A)3.2.1 If the Parties are unable to negotiate a new agreement following provision of the one hundred sixty (160) day notice of termination, the window of opportunity to file for arbitration to resolve outstanding contractual issues in accordance with the Act will occur between days 135 and 160 of the 160 day notice period.
- (A)3.2.2 If the Parties are able to reach agreement, this Agreement shall continue for the brief period of time needed to secure the Commission's approval of an adoption or a new interconnection/resale agreement. In the case of Section (A)3.2.1, this Agreement will expire on the termination date specified in the one hundred sixty (160) day notice referenced above unless a petition for arbitration has been filed, but if such a petition has been filed then this Agreement shall continue for the brief period necessary for the Commission to act and resolve the disputed issues so that the Parties will have an effective interconnection/resale agreement.