

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Request For)	
Approval of Negotiated Agreement)	DOCKET NO. UT-003039
Under the Telecommunications Act of)	
1996 Between)	
)	ORDER APPROVING
RCC HOLDINGS, INC.,)	NEGOTIATED FIRST AMENDED
)	AGREEMENT FOR
and)	INTERCONNECTION OF
)	SERVICES
VERIZON NORTHWEST INC., f/k/a)	
GTE NORTHWEST INCORPORATED)	
.....)	

BACKGROUND

1 This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a negotiated first amended agreement (Amended Agreement) under the Telecommunications Act of 1996 (Telecom Act). The Amended Agreement is between RCC Holdings, Inc., (RCC), and Verizon Northwest Inc., (Verizon), f/k/a GTE Northwest Incorporated (GTE). On April 27, 2000, the parties filed a joint request that RCC receive all arrangements provided in an interconnection agreement previously approved by the Commission between Sprint Spectrum L.P. (Sprint), and GTE in Docket UT-993014. The Commission accepted this request on May 10, 2000. On April 12, 2000, in Docket UT-990355 – Interpretive and Policy Statement regarding Section 252 (i) of the Telecom Act – the Commission concluded that amendments to original adopted agreement would be deemed new agreements under the Telecom Act and must be submitted to the Commission for approval. The parties filed a joint request for approval of a first amendment on April 1, 2002.

MEMORANDUM

2 The Amended Agreement between RCC and Verizon was brought before the Commission at its regularly scheduled open meeting held on April 24, 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 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 RCC is not currently authorized to provide telecommunications services to the public
in the state of Washington.

9 On April 27, 2000, the parties filed with the Commission a joint request that RCC
receive all arrangements provided in an interconnection agreement previously
approved by the Commission between Sprint and GTE in Docket UT-003039. The
Commission accepted this request on May 10, 2000. On April 12, 2002, in Docket
UT-990355 – Interpretive and Policy Statement regarding Section 252(i) of the
Telecom Act – the Commission concluded that amendments to original adopted
agreements would be deemed new agreements under the Telecom Act and must be
submitted to the Commission for approval.

10 On April 1, 2002, the parties filed with the Commission a joint request for approval of
a first amendment to the previously approved interconnection agreement pursuant to
the Telecom Act.

11 RCC and Verizon voluntarily negotiated the entire amendment.

12 The Amended Agreement does not discriminate against any other telecommunications
carrier.

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

CONCLUSIONS OF LAW

- 14 The Commission has jurisdiction over the subject matter and all parties to this proceeding.
- 15 The Amended Agreement is consistent with the public interest, convenience, and necessity.
- 16 The Amended Agreement meets the requirements of Sections 251 and 252 of the Telecom Act, including Section 252(e).
- 17 Approval of the Amended Agreement does not in any way waive RCC's requirement to become a registered telecommunications service provider in the state of Washington.
- 18 The laws and regulations of the State of Washington and Commission orders govern the construction and interpretation of the Amended Agreement. The Amended Agreement is subject to the jurisdiction of the Commission.

ORDER

THE COMMISSION ORDERS:

- 19 The Amended Agreement between RCC Holdings, Inc., and Verizon Northwest Inc., f/k/a GTE Northwest Incorporated, which the parties filed on April 1, 2002, is approved and effective as of the date of this order.
- 20 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.
- 21 The laws and regulations of the State of Washington and Commission orders govern the construction and interpretation of the Amended Agreement. The Amended Agreement is subject to the jurisdiction of the Commission.

DATED at Olympia, Washington, and effective this 24th day of April, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner