

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-023047
)
ICG TELECOM GROUP, INC.,)
) ORDER APPROVING
and) NEGOTIATED AGREEMENT
) FOR INTERCONNECTION OF
CENTURYTEL OF WASHINGTON, INC.,) SERVICES
CENTURYTEL OF INTER-ISLAND, INC.,)
and CENTURYTEL OF COWICHE, INC.)
.....)

BACKGROUND

1 This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a negotiated agreement for interconnection of specified exchange services (Agreement) under the Telecommunications Act of 1996 (Telecom Act). The Agreement is between ICG Telecom Group, Inc., (ICG) , and CenturyTel of Washington, Inc., CenturyTel of Inter-Island, Inc., and CenturyTel of Cowiche, Inc., (collectively CenturyTel). The parties filed a joint request for approval of the Agreement on August 29, 2002.

MEMORANDUM

2 The Agreement between ICG and CenturyTel was brought before the Commission at its regularly scheduled open meeting held on September 25, 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 CenturyTel is engaged in the business of furnishing telecommunications services, including,
but not limited to, basic local exchange service within the state of Washington.

8 ICG is authorized to provide telecommunications services to the public in the state of
Washington.

9 On August 29, 2002, the parties filed with the Commission a joint request for approval of a
negotiated interconnection agreement pursuant to the Telecom Act.

10 ICG and CenturyTel 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 ICG 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.

O R D E R

THE COMMISSION ORDERS:

- 17 The Agreement for interconnection of services between ICG Telecom Group, Inc., and CenturyTel of Washington, Inc., CenturyTel of Inter-Island, Inc., and CenturyTel of Cowiche, Inc., which the parties filed on August 29, 2002, is approved and effective as of the date of this order.
- 18 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 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.
- 19 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 25th day of September, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner