

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

In the Matter of the Request of	)	DOCKET NO. UT-043035
	)	
COMPUTERS 5*, d/b/a LOCALTEL	)	ORDER NO. 01
	)	
and	)	
	)	
CENTURYTEL OF WASHINGTON, INC.,	)	
CENTURYTEL OF INTER ISLAND, INC.,	)	ORDER APPROVING
and CENTURYTEL OF COWICHE, INC.,	)	NEGOTIATED
	)	AGREEMENT FOR
For Approval of Negotiated Agreement	)	INTERCONNECTION OF
Under the Telecommunications Act of 1996	)	SERVICES
.....	)	

**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 Computers 5\*, d/b/a LocalTel (LocalTel), 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 May 17, 2004.

**FINDINGS AND CONCLUSIONS**

2 (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.*

- 3       (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:
- 4             (i)     agreement (or any portion thereof) discriminates against a  
telecommunications carrier not a party to the agreement; or
- 5             (ii)    the implementation of such agreement or portion is not consistent  
with the public interest, convenience, and necessity.
- 6       (4)     CenturyTel is engaged in the business of furnishing telecommunications  
services including, but not limited to, basic local exchange service within  
the state of Washington.
- 7       (5)     LocalTel is authorized to provide telecommunications services to the  
public in the state of Washington.
- 8       (6)     On May 17, 2004, the parties filed with the Commission a joint request for  
approval of a negotiated interconnection agreement, pursuant to the  
Telecom Act.
- 9       (7)     LocalTel and CenturyTel voluntarily negotiated the entire Agreement.
- 10       (8)    The Agreement between LocalTel and CenturyTel was brought before the  
Commission at its regularly scheduled meeting on June 9, 2004.
- 11       (9)    The Agreement does not discriminate against any other  
telecommunications carrier.

- 12 (10) The Agreement will facilitate local exchange competition in the state of Washington.
- 13 (11) The Agreement is consistent with the public interest, convenience, and necessity.
- 14 (12) The Agreement meets the requirements of Sections 251 and 252 of the Telecom Act, including Section 252(e).
- 15 (13) 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 (14) After examination of the proposed Agreement filed by CenturyTel and LocalTel on May 17, 2004, and giving consideration to all relevant matters, the Commission finds the proposed Agreement should be approved.

## **O R D E R**

### THE COMMISSION ORDERS:

- 17 (1) The Agreement for interconnection of services between Computers 5\*, d/b/a LocalTel and CenturyTel of Washington, Inc., CenturyTel of Inter Island, Inc., and CenturyTel of Cowiche, Inc., which the parties filed on May 17, 2004, 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 herein, 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 9th day of June, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary