

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

In the Matter of the Request of	)	DOCKET NO. UT-043116
	)	
Global Connection Inc. of America	)	ORDER NO. 01
	)	
and	)	
	)	
United Telephone Company of the Northwest	)	
	)	
For Approval of Negotiated Agreement Under the Telecommunications Act of 1996	)	ORDER APPROVING NEGOTIATED AGREEMENT FOR RESALE OF SERVICES
.....	)	

**BACKGROUND**

1 This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a negotiated agreement for resale of specified exchange services (Agreement) under the Telecommunications Act of 1996 (Telecom Act). The Agreement is between Global Connection Inc. of America (Global), and United Telephone Company of the Northwest (United). The parties filed a joint request for approval of the Agreement on November 24, 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) United 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) Global is authorized to provide telecommunications services to the public in the state of Washington.
  - 8 (6) On November 24, 2004, the parties filed with the Commission a joint request for approval of a negotiated interconnection agreement, pursuant to the Telecom Act.
  - 9 (7) Global and United voluntarily negotiated the entire Agreement.
  - 10 (8) The Agreement between Global and United was brought before the Commission at its regularly scheduled meeting on December 29, 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 United and Global  
on November 24, 2004, and giving consideration to all relevant matters,  
the Commission finds the proposed Agreement should be approved.

## **ORDER**

### THE COMMISSION ORDERS:

- 17 (1) The Agreement for resale of services between Global Connection Inc. of  
America and United Telephone Company of the Northwest, which the  
parties filed on November 24, 2004, is approved and effective.
- 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 29th day of December, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary