

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

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|---------------------------------|---|----------------------|
| In the Matter of the Request of |) | DOCKET NO. UT-023061 |
| |) | |
| RCC HOLDINGS, INC. |) | |
| |) | |
| and |) | |
| |) | |
| CENTURYTEL OF |) | |
| WASHINGTON, INC., |) | |
| CENTURYTEL OF INTER |) | |
| ISLAND, INC., AND |) | |
| CENTURYTEL OF COWICHE, |) | |
| INC. |) | |
| |) | |
| |) | ORDER APPROVING |
| For Approval of Negotiated |) | NEGOTIATED AGREEMENT |
| Agreement Under the |) | FOR WIRELESS |
| Telecommunications Act of 1996 |) | INTERCONNECTION |
| | | |

BACKGROUND

1 This matter comes before the Washington Utilities and Transportation Commission (Commission) for approval of a negotiated wireless interconnection agreement (Agreement) under the Telecommunications Act of 1996 (Telecom Act). The Agreement is between RCC Holdings, Inc., (RCC) 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 December 2, 2002.

FINDINGS AND CONCLUSIONS

2 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 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) the 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 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 RCC is licensed by the Federal Communications Commission as a commercial
mobile radio service provider.

8 On December 2, 2002, the parties filed with the Commission a joint request for
approval of a negotiated wireless interconnection agreement, pursuant to the
Telecom Act.

9 The Agreement between RCC and CenturyTel was brought before the
Commission at its regularly scheduled meeting on December 31, 2002.

10 The Agreement does not discriminate against any other telecommunications
carrier.

- 11 The Agreement will facilitate local exchange competition in the state of Washington.
- 12 The Agreement is consistent with the public interest, convenience, and necessity.
- 13 The Agreement meets the requirements of Sections 251 and 252 of the Telecom Act, including Section 252(e).
- 14 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.
- 15 After examination of the proposed Amended Agreement filed by CenturyTel and RCC on December 2, 2002, and giving consideration to all relevant matters, the Commission finds the proposed Amended Agreement should be approved.

ORDER

THE COMMISSION ORDERS:

- 16 The Agreement for wireless network interconnection between RCC Holdings, Inc., and CenturyTel of Washington, Inc., CenturyTel of Inter Island, Inc., and CenturyTel of Cowiche, Inc., which the parties filed on December 2, 2002, is approved and effective as of the date of this Order.
- 17 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 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.

- 18 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 31st day of December, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Commissioner

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner