

TABLE OF CONTENTS

PETITION..... 1

DISCUSSION..... 2

 A. The Commission Should Dismiss Qwest’s Complaint without Undertaking a
 Generic Inquiry of “VNXX” Service..... 2

 B. The Record and Applicable Law Do Not Support the Initial Order’s Factual
 Findings and Conclusions of Law With Respect to Intercarrier Compensation for
 “VNXX” Traffic. 6

 1. The Initial Order Fails to Undertake the Required Legal Analysis of Federal
 Law on Intercarrier Compensation. 6

 2. The Initial Order Is Anticompetitive and Discriminatory..... 9

 3. Traffic Imbalance and Alleged Arbitrage Opportunities Do Not Justify
 Imposing Bill and Keep on “VNXX” Traffic. 12

 4. Washington Statutes Do Not Require Bill and Keep for “VNXX” Service... 15

 5. The Initial Order Misconstrues the AT&T Arbitration Order and CLEC Local
 Calling Areas. 17

 6. The Limited Cost Evidence in the Record Does Not Support Imposition of
 Bill and Keep on “VNXX” Service. 19

 7. The Initial Order Misconstrues Other State Commission Decisions and Would
 Impose a Needlessly Complex Intercarrier Compensation Scheme. 21

 C. The Commission Should Ensure that Any Findings on Intercarrier Compensation
 for “VNXX” Traffic Are Not Inconsistent With the Federal District Court’s Order
 in the Pac-West and Level 3 Complaint Cases. 26

REQUEST FOR RELIEF 27