

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the Request For)	
Approval of Negotiated Agreement)	DOCKET NO. UT-003117
Under the Telecommunications Act of)	
1996 Between)	
)	
ZAMA NETWORKS, INC.,)	ORDER CORRECTING NOTICE
)	TO ADOPT INTERCONNECTION
and)	AGREEMENT
)	
QWEST CORPORATION)	
.....)	

1 **Synopsis.** This Order corrects an error by Zama Networks, Inc. (“Zama”) and Qwest Corporation (“Qwest”) in their October 31, 2000 notice to adopt an interconnection agreement in this docket, filed pursuant to the Telecommunications Act of 1996 (“Act”) and the Commission’s Interpretive and Policy Statement in Docket UT-990355.

2 **Background.** On October 31, 2000, Zama and Qwest filed a notice with the Commission of Zama’s intent to adopt an interconnection agreement (“Notice”). The Notice stated that Zama would adopt, in its entirety, the interconnection agreement that the Commission approved in Docket UT-960337, between Electric Lightwave, Inc. (“ELI”) and Qwest, f/k/a US WEST Communications, Inc. The Commission placed the Notice on its November 19, 2000 Open Public Meeting agenda as a “No Action” agenda item to allow the terms of the agreement to become effective.

3 In early January 2001, Qwest informed the Commission that the October 31 Notice contained an error. According to a letter the Commission received on March 27, 2001, Zama intended to adopt the interconnection agreement that the Commission approved in Docket UT-003072 between ELI and Qwest on September 13, 2000, and not the agreement that the Commission approved in Docket UT-960337.

4 **Memorandum.** The Commission heard this matter at its regularly scheduled open public meeting of April 25, 2001, at its offices in Olympia, Washington. The Commission granted the parties’ request to correct the Notice to reflect that Zama intended to adopt, in its entirety, the interconnection agreement approved by the Commission on September 13, 2000, in Docket UT-003072.

FINDINGS OF FACT

- 5 (1) 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.
- 6 (2) Qwest is engaged in the business of furnishing telecommunications services, including, but not limited to, basic local exchange service within the state of Washington.
- 7 (3) Zama is authorized to provide local exchange telecommunications services in the state of Washington.
- 8 (4) On October 31, 2000, the parties filed with the Commission a Notice of Zama's intent to adopt, in its entirety, the interconnection agreement that the Commission approved in Docket UT-960337, between Electric Lightwave, Inc. (ELI) and Qwest, f/k/a US WEST Communications, Inc.
- 9 (5) According to a letter the Commission received on March 27, 2001, Zama intended to adopt the interconnection agreement that the Commission approved in Docket UT-003072 on September 13, 2000, between ELI and Qwest, and not the agreement approved in Docket UT-960337.

CONCLUSIONS OF LAW

- 10 (1) The Commission has jurisdiction over the parties to and the subject matter of this proceeding.
- 11 (2) The laws and regulations of the State of Washington, and Commission orders will govern the construction and interpretation of the Agreement. The Agreement will also be subject to the jurisdiction of the Commission and the Washington courts.

ORDER

- 12 THE COMMISSION ORDERS That the request of Zama Networks, Inc., and Qwest Corporation to correct their October 31, 2000 Notice is granted.
- 13 THE COMMISSION ORDERS FURTHER That in the event the parties revise, modify, or amend the Agreement, 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.

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THE COMMISSION ORDERS FURTHER That 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 and the Washington courts.

DATED at Olympia, Washington, and effective this 25th day of April, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner