



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 (3) St. John is engaged in the business of furnishing telecommunications services, including but not limited to, basic local exchange service within the state of Washington.
- 7 (4) VAW is licensed by the Federal Communications Commission as a commercial mobile radio service provider.
- 8 (5) On May 26, 2004, the parties filed with the Commission a joint request for approval of a negotiated traffic exchange agreement, pursuant to the Telecom Act.
- 9 (6) The Agreement between VAW and St. John was brought before the Commission at its regularly scheduled meeting on July 16, 2004.
- 10 (7) The Agreement does not discriminate against any other telecommunications carrier.
- 11 (8) The Agreement will facilitate local exchange competition in the state of Washington.

- 12 (9) The Agreement is consistent with the public interest, convenience, and  
necessity.
- 13 (10) The Agreement meets the requirements of Sections 251 and 252 of the  
Telecom Act, including Section 252(e).
- 14 (11) 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 (12) After examination of the proposed Agreement filed by VAW and St. John  
on May 26, 2004, and giving consideration to all relevant matters, the  
Commission finds the proposed Agreement should be approved.

## ORDER

### THE COMMISSION ORDERS:

- 16 (1) The traffic exchange agreement between Verizon Wireless LLC and St.  
John Co-operative Telephone and Telegraph Company, which the parties  
filed on May 26, 2004, is approved and effective as of the date of this  
Order.
- 17 (2) 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 (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.
- 19 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 16<sup>th</sup> day of July, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary