BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Request of	)	DOCKET NO. UT-043042
	)	
VERIZON WIRELESS LLC	)	ORDER NO. 01
	)	
and	)	
	)	
THE TOLEDO TELEPHONE	)	
COMPANY, INC.	)	
	)	
	)	
For Approval of Negotiated	)	ORDER APPROVING
Agreement Under the	)	NEGOTIATED TRAFFIC
Telecommunications Act of 1996	)	EXCHANGE AGREEMENT
. . . .	)	

BACKGROUND

1   This matter comes before the Washington Utilities and Transportation
Commission (Commission) for approval of a negotiated traffic exchange
agreement (Agreement) under the Telecommunications Act of 1996 (Telecom
Act). The Agreement is between Verizon Wireless LLC (VAW) and The Toledo
Telephone Company, Inc. (Toledo Telephone). The parties filed a joint request
for approval of the Agreement on May 26, 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)   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)   Toledo Telephone 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 Toledo Telephone 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 Toledo
               Telephone on May 26, 2004, and giving consideration to all relevant
               matters, the Commission finds the proposed Agreement should be
               approved.

O R D E R

THE COMMISSION ORDERS:

16   (1)   The traffic exchange agreement between Verizon Wireless LLC and The
               Toledo Telephone Company, Inc., 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 16th day of July, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary