

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

In the Matter of the Petition of)	DOCKET NO. UT-041194
)	
QWEST CORPORATION,)	ORDER NO. 01
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of)	
WAC 480-120-263(3)(b), (5)(c) and)	
(d), Pay phone Service Providers,)	
and WAC 480-120-450(1)(c),)	ORDER GRANTING
Enhanced 9-1-1 Obligations of)	TEMPORARY EXEMPTION
Local Exchange Companies)	FROM RULES
.....)	

BACKGROUND

- 1 On July 1, 2004, Qwest Corporation (Qwest) filed a petition requesting exemption from certain provisions of WAC 480-120-263(3)(b), (5)(c) and (d), and WAC 120-450(1)(c). These rules require pay phone service providers to allow access to E-911 at all pay phones.
- 2 Qwest initially filed a petition and the Commission granted, on February 11, 2004, a temporary 60-day exemption from the above noted rules. This exemption allowed Qwest and the hospital to conduct a 60-day trial of its Emergency Quick Access Key on three designated pay phones, and redirect E-911 calls made to the hospital’s communications center instead of the public safety answering point (PSAP).
- 3 Instead of E-911 access, patients or other users push a ‘Quick Access Key’ on the pay phone, designated by the word “emergency” in bright red letters. The emergency key is directly connected to the hospital’s communications center. The pay phone number is displayed by the communications center’s PBX.

Communications center personnel can locate the ward that originated the emergency call and take appropriate action to deal with the situation. If an actual emergency exists, the call is rerouted to E-911 by the communications center.

4 Hospital staff has access to E-911 at all times, including in those areas where pay phones will have the Emergency Quick Access key access to E-911. Wards are staffed 24 hours a day, 7 days a week with two or more direct care staff. There are three or four phones in the central nurse's station on each ward and a phone in each individual on-ward office space. All of these phones are non-pay phones and E-911 capable.

5 During the trial period, there were no emergency calls directed to the hospital's communications center from the three phones retrofitted with the Emergency Quick Access Key. During this same period, there were 262 false calls placed by patients from pay phones located elsewhere in the hospital on pay phones that were not retrofitted with the Emergency Quick Access Key.

6 On July 1, 2004, Qwest asked, in its petition, that it be exempted from the E-911 requirements for all its pay phones located within Western State Hospital and allow the Company to retrofit its Emergency Quick Access Key on each of these phones.

7 Commission Staff reviewed the request and recommended granting a 60-day temporary exemption of the above-referenced rules.

FINDINGS AND CONCLUSIONS

8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate

rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.36 RCW.*

- 9 (2) Qwest is engaged in the business of providing telecommunications services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 80.36 RCW.
- 10 (3) Qwest is subject to the provisions of WAC 480-120-263(3)(b), (5)(c) and (d), and WAC 480-120-450(1)(c), requiring telecommunications companies, and specifically, pay phone service providers to allow access to E-911 from all pay phones.
- 11 (4) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 12 (5) This matter was brought before the Commission at its regularly scheduled meeting on August 11, 2004.
- 13 (6) After review of the petition filed in Docket UT-041194 by Qwest on August 11, 2004, and giving due consideration, the Commission finds that the 60-day temporary exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 14 (1) Effective August 30, 2004, Qwest Corporation is granted a 60-day temporary exemption from WAC 480-120-263(3)(b), (5)(c) and (d), and WAC 480-120-450(1)(c) for its pay phones located within Western State Hospital.
- 15 The Commission retains jurisdiction over the subject matter and Qwest Corporation to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective this 11th day of August, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN,
Executive Secretary