



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Washington Utilities and Transportation Commission

**Subject of possible rule making:** Commission designation of eligible telecommunications carriers (ETCs) pursuant to 47 U.S.C. § 214(e) and RCW 80.36.610, and annual certification concerning the use of federal universal support funds pursuant to 47 C.F.R. §§ 54.313 and 314 and WAC 480-120-311.  
Docket No. UT-053021.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 80.01.040; 80.04.160; 80.36.600; 80.36.610.

**Reasons why rules on this subject may be needed and what they might accomplish:** The Commission has one rule concerning annual certification of the use of federal support. The Federal Communications Commission (FCC) has recently encouraged states to follow a new process for ETC designation now followed by the FCC. See *In the Matter of Federal-State Joint Board on Universal Service*, Report and Order, CC Docket No. 96-45, FCC 05-46 (released March 17, 2005). The Commission will review the FCC's recommendations and determine whether to adopt similar rules, different rules, or no rules with respect to ETC designation and annual certification.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The FCC regulates ETC designation for locations where a state utility commission does not make ETC designations. The FCC has recently adopted rules on this topic to guide its designations and recommends that state utility commissions adopt similar rules.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Commission will schedule one or more workshops with representatives of affected constituencies in a manner designed to develop consensus among affected interests regarding any rule proposal. The first workshop is scheduled for June 29, 2005, beginning at **1:30 p.m.**, at the Commission's office in Olympia, Washington. The Commission will ask for initial written comments by June 1, 2005, and anticipates providing opportunity for additional comments.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested persons may contact the Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504-7250; Telephone (360) 664-1174; Facsimile (360) 586-1150

**For specific information regarding opportunities for written comment, opportunities for participation in workshops, and to ensure receipt of further information concerning this rulemaking, please see the attachment to this form.**

**DATE**  
May 4, 2005

**NAME (TYPE OR PRINT)**  
Carole J. Washburn

**SIGNATURE**

**TITLE**  
Executive Secretary

**CODE REVISER USE ONLY**

**Filed with the Code Reviser's Office  
May 4, 2005, 9:46 a.m.  
WSR # 05-10-100**

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**  
**CR-101 - ATTACHMENT**  
**DOCKET NO. UT-053021**

Interested persons may contact the Secretary, Washington Utilities and Transportation Commission, P. O. Box 47250, Olympia, Washington, 98504-7250, 360-664-1174 (Fax: 360-586-1150).

**WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP**

Written comments may be submitted to the Commission at the address given above and should be filed with the Commission no later than **June 1, 2005**, for consideration at the **June 29, 2005**, stakeholder workshop. **Please submit comments in Word format to facilitate creation by Commission Staff of summaries.**

Electronic copies. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Please provide electronic files in .pdf (Adobe Acrobat) and in .doc (MS Word 97 or later) to make them most useful to the Commission. Comments may be submitted by electronic mail to the Commission's Records Center at [records@wutc.wa.gov](mailto:records@wutc.wa.gov). Please include:

- The docket number of this proceeding (UT-053021)
- The commenting party's name
- The title and date of the comment or comments

An alternative method for submitting electronic comments is by mailing/delivering an electronic copy on a 3 ½ inch, IBM-formatted, high-density disk. Include all of the information requested above. The Commission will post on the Commission's web site all comments that are provided in electronic format. The web site is located at <http://www.wutc.wa.gov/053021>.

If you are unable to file your comments electronically or to submit them on a disk, the Commission will always accept a paper document.

Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's web site as it becomes available. If you wish to receive further information on this rulemaking you may (1) call the Commission's Records Center at 360-664-1234, (2) e-mail the Commission at [<records@wutc.wa.gov>](mailto:records@wutc.wa.gov), or (3) mail written comments to the address above to the attention of Carole Washburn, Executive Secretary. When contacting the Commission, please refer to Docket No. UT-053021 to ensure that you are placed on the appropriate service list.

Questions may be addressed to Bob Shirley by phone at (360) 664-1292 or e-mail at [bshirley@wutc.wa.gov](mailto:bshirley@wutc.wa.gov)

Address: Bob Shirley

Washington Utilities and Transportation Commission

PO Box 47250

Olympia, WA 98504-7250 FAX: 360-586-1150