

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

In the Matter of the Petition of)	DOCKET UT-060502
)	
MCIMETRO ACCESS)	ORDER 01
TRANSMISSION SERVICES, LLC)	
D/B/A VERIZON ACCESS)	
TRANSMISSION SERVICES)	
)	
Petitioners,)	
)	ORDER APPROVING
Seeking Approval of Alternative Form of)	ALTERNATIVE
Reporting as Allowed by WAC 480-120-)	MEASUREMENT OR
439 (12))	REPORTING FORMAT
.....)	

BACKGROUND

- 1 Effective January 6, 2006, Verizon Northwest Inc. (Verizon) and the MCI companies, including MCImetro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services (MCImetro or the Company) merged. The Commission approved the merger and accompanying settlement agreement. The settlement agreement stipulated that the two companies would continue to meet the Commission’s retail service quality standards. As an affiliate of Verizon, MCImetro is now a Class A company as described in WAC 480-120-302(1)(a).¹

- 2 Class A companies are required to file service quality reports pursuant to WAC 480-120-439. Measurement standards for service quality reporting are located in WAC 480-120-105, -133, -401, -438, and -440.

- 3 MCImetro is a competitive local exchange carrier providing retail local exchange service using its own facilities to serve “enterprise customers”² and using unbundled network elements (UNEs) and network elements provided under commercial agreements with other local exchange carriers to serve mass market customers³.

¹ Class A designation means that a company and its affiliates serve at least 2% of the total access lines in the State of Washington.

² Enterprise customers are large business customers with more than five access lines or the equivalent network access capacity. These types of customers generally have interstate contracts with carriers, and have unique installation needs and complex arrangements. Enterprise customers negotiate intervals satisfactory to them for the work being provided.

³ Mass market customers are residential and small business customers with five or fewer access lines.

- 4 On March 31, 2006, the Company filed a petition requesting approval for an alternative measurement or reporting format as allowed under WAC 480-120-439(12). Staff has been working with the Company to ensure that the information provided by the proposed alternative measurement or reporting format will be sufficient to allow staff to verify service quality standards are met.
- 5 On May 18, 2006, the Company amended its petition to clarify questions raised by staff about the data submitted in its initial reports, as well as to clarify the reporting of data required by subsection (5) Major outage report, and subsection (10) Billing office and repair answering systems reports.
- 6 On June 13, 2006, the Company amended its petition again to withdraw its request for confidential treatment of its reports. As to the confidentiality of specific numbers provided in filed reports, the Company will follow the requirements of WAC 480-07-160 Confidential information.
- 7 The Company asserts the following: a) WAC 480-120-439 service quality reporting requirements are based principally upon a facilities-based, legacy network architecture that is inconsistent with the Company's network and the provision of its service; b) the Company does not employ any central offices, and does not maintain records on a central office basis in the usual course of business and has no business reason to do so; c) the Company is reliant upon the services and facilities of underlying incumbent local exchange carriers to serve its mass market customers. Therefore, it cannot reasonably provide many of the measurements required by WAC 480-120-439; and d) the proposed alternatives will provide the Commission with substantive performance standards based upon the services the Company provides in Washington.
- 8 The Company requests approval of the following: a) to apply WAC 480-120-439 subsections (3), (4), and (6) through (9) to customers with five or fewer access lines, in order to exclude "enterprise customers", and report its performance on this measure; b) to report performance on a statewide basis; and c) to submit reports on data for mass market customers only.
- 9 The Company supplied legitimate justification for an alternative measurement or reporting format for subsections (3), (4) and (6) through (9).

- 10 Commission Staff has reviewed the amended petition and recommends granting the Company's request for alternative measurement or reporting format for subsections (3), (4), and (6) through (9).
- 11 MCImetro's requested alternative reporting is similar to that granted to AT&T Communications of the Pacific Northwest, Inc., TCG Oregon and TCG Seattle in Order 01 issued May 11, 2005, in Docket UT-041588.

FINDINGS AND CONCLUSIONS

- 12 (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.*
- 13 (2) MCImetro 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.
- 14 (3) WAC 480-120-439(12) provides that the Commission may approve a telecommunications company's request to provide an alternative measurement or reporting format for any of the service quality reports required in WAC 480-120-439.⁴
- 15 (4) The amended petition was brought before the Commission at its regularly scheduled meeting on June 28, 2006.
- 16 (5) After review of the petition filed in Docket UT-060502 by MCImetro, as amended on May 18, 2006, and June 13, 2006, and giving due consideration, the

⁴ The petitioning company must provide evidence that: it cannot reasonably provide the measurement or reports; the alternative measurement or reporting format will provide a reasonably accurate measurement of the company's performance to the substantive performance standard; and the ability of the commission and other parties to enforce compliance will not be significantly impaired by the use of the alternative.

Commission finds that the petition for an alternative measurement or reporting format should be approved.

ORDER

THE COMMISSION ORDERS:

- 17 (1) The petition, as amended, filed by MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services, for approval of an alternative measurement or reporting format, as prescribed by WAC 480-120-439(12), for subsections (3), (4), and (6) through (9), is approved.
- 18 (2) The Commission retains jurisdiction over the subject matter and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services, to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective June 28, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner