

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

In the Matter of the Petition of)	DOCKET UT-070268
)	
VERIZON NORTHWEST, INC.,)	ORDER 01
)	
Petitioner,)	
)	
)	
For Waiver of WAC 480-120-560(2))	ORDER GRANTING
and (3))	EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On February 6, 2007, Verizon Northwest Inc., (Verizon or the Company) filed with the Washington Utilities and Transportation Commission (Commission), pursuant to WAC 480-120-015, a petition requesting a permanent exemption from WAC 480-120-560 (2) and (3) regarding implementation intervals for requests for collocation.
- 2 In this Petition, Verizon requests that the Commission grant a permanent exemption from those provisions of WAC 480-120-560(2) and (3) that conflict with certain ordering and provisioning intervals in Verizon’s Tariff WN U-20. The affected tariff provisions are based on a settlement agreement between Verizon and Sprint, Covad and AT&T entered into on August 27, 2003.
- 3 In a previous petition for permanent exemption filed in Docket UT-061330, Verizon stated that Sprint, Covad, and AT&T supported its petition. Verizon provided no separate notice to other customers purchasing collocation services out of Verizon’s tariff WN U-20. To allow Verizon the opportunity to notify CLEC customers about the proposed permanent waiver, the Commission granted Verizon a temporary exemption of WAC 480-120-560(2) and (3) until March 1, 2007.
- 4 On November 17, 2006, Verizon posted a notice about the request for permanent waiver on its website and e-mailed a copy to each CLEC collocated in a Verizon office in Washington. The notice informed carriers about the proposed waiver, the date Verizon intended to file for the waiver, and included contact information for Verizon representatives and for commission staff if CLECs wished to comment on the proposal. To date, neither commission staff nor Verizon have received any comments on Verizon’s proposal.

FINDINGS AND CONCLUSIONS

- 5 (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, RCW 80.04, RCW 80.36, RCW 80.08 and RCW 80.12.*
- 6 (2) Verizon 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 RCW 80.36.
- 7 (3) Verizon is subject to the provisions of WAC 480-120-560, requiring incumbent telecommunications companies to allow competitive telecommunications companies the ability to place equipment within or upon the premises of the incumbent.
- 8 (4) Verizon requested the Commission grant an extension of the exemption from WAC 480-120-560(2) and (3) to allow the Company to continue to apply the implementation intervals for requests for collocation set forth in Tariff WN U-20.
- 9 (5) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in WAC 480-120, if consistent with the public interest, the purposes underlying regulation, and applicable statutes.
- 10 (6) Verizon provided timely notice to its collocation customers about the proposed permanent exemption. Neither Verizon nor Commission Staff received comments from any of the affected customers. Staff therefore recommended that the exemption be granted.
- 11 (7) This matter was brought before the Commission at its regularly scheduled open meeting on February 28, 2007.
- 12 (8) After reviewing the request filed in Docket UT-070268 by Verizon and giving due consideration, the Commission finds that granting the exemption is reasonable.

ORDER

THE COMMISSION ORDERS:

- 13* (1) After the effective date of this Order, Verizon Northwest Incorporated is granted an exemption from WAC 480-120-560(2) and (3), relating to collocation provisioning.
- 14* (2) The Commission retains jurisdiction over the subject matter and Verizon Northwest Inc., to effectuate the provisions of this Order.

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 February 28, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary