

February 14, 2005

VIA FIRST CLASS MAIL & EMAIL

Carole Washburn, Secretary

WUTC

1300 S. Evergreen Pk. Dr. S.W.

PO Box 47250

Olympia, WA 98504-7250

RE: Rulemaking Docket UT-041629, Enhanced E911 obligations of Local exchange companies.

Dear Ms. Washburn:

Public Counsel files these comments in response to the Washington Utilities and Transportation Commission's (Commission) January 14, 2005 *Notice of Opportunity to Comment*. Public Counsel does not take a position at this time on the demarcation point or attempt to answer the questions proffered by Commission Staff. Instead, Public Counsel focuses its comments on the public interest that the rulemaking is intended to achieve.

The paramount goal of the rulemaking is to speed the provisioning of E911 service to voice grade customers while preserving the quality, reliability and functionality of existing and future 911 service. Public Counsel is concerned with the continued delay of the implementation of E911 service. Establishing a demarcation point within the WAC will aid in establishing E911 service by providing a dividing point between cost responsibilities for the parties arranging the service.

It may not be necessary or possible within this rulemaking to settle all issues arising from the establishment of a demarcation point between the PSAPs and LECs. However, Public Counsel believes issues needing resolution due to the establishment of a demarcation point in this rulemaking can either be resolved in this rulemaking or can be solved in other proceedings. Such outstanding issues should not be used as an argument to forgo establishing a demarcation point within WAC. While cost shifts, cost recovery, standards of service and possible competitive disadvantages are important issues they are secondary to having E911 service in place statewide.

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Public Counsel looks forward to participating in future rulemaking workshops and the provision of more detailed information by local exchange companies, the emergency management community and other parties to clarify the issues before the Commission.

Sincerely,

Steve Johnson
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