

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	DOCKET NO. UT-001090
)	
Complainant,)	
)	
v.)	COMMISSION ORDER ACCEPTING
)	SETTLEMENT
ONE CALL COMMUNICATIONS, INC.)	
)	
Respondent.)	
.....)	

SUMMARY

- 1 **PROCEEDINGS:** The Washington Utilities and Transportation Commission, proceeding on its own motion, filed a Complaint on March 28, 2001. The Commission alleged in its Complaint that One Call Communications, Inc.'s operating practices violated WAC 480-120-141.

- 2 **PARTIES:** Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represents Commission Staff (Staff). Ann C. Bernard, Corporate Counsel, represents One Call Communications, Inc. (One Call).

- 3 **SETTLEMENT AGREEMENT:** On March 28, 2001, Staff and One Call (the Parties) filed an Agreement to Penalties to resolve all issues raised in the Complaint.

- 4 **COMMISSION:** The Commission accepts the Parties' settlement as filed.

MEMORANDUM

- 5 On March 28, 2001, the Commission issued a Complaint alleging violations of WAC 480-120-141. The Parties have reached agreement on the resolution of the issues raised by the Complaint and have voluntarily entered into the attached Agreement to Penalties (Agreement). The Agreement reflects the Parties' proposal to the Commission for resolution of all outstanding issues and constitutes a settlement agreement within the meaning of WAC 480-09-466.

- 6 In summary, the Agreement provides for the following actions to be taken by One Call to resolve the outstanding Complaint:

- One Call agrees to full compliance with the Commission's verbal disclosure rules.
- One Call agrees to pay a penalty of \$11,400 for rule violations.
- One Call agrees to reimburse the Commission for the cost of the investigation, less estimated regulatory fees to be paid no later than May 1, 2001, based on the year 2000 operations, for a total reimbursement for the cost of the investigation of \$4,400.
- One Call agrees to change its voice message for automated operator services so that it informs consumers they may receive a rate quote by pressing no more than two keys and then asking for a rate quote from the operator.

7 The Commission finds that the Settlement Agreement fairly and equitably resolves all of the issues raised by the Complaint and is therefore in the public interest.

FINDINGS OF FACT

- 8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, practices, accounts, and other matters pertinent to the operation of public service companies, including telecommunications companies.
- 9 (2) One Call Communications, Inc., engages in the business of providing operator services within Washington state as a telecommunications company.
- 10 (3) On March 28, 2001 the Commission issued a Complaint in which it alleged that One Call Communications, Inc., violated WAC 480-120-141 relating to branding and verbal disclosure.
- 11 (4) On March 28, 2001, Staff and One Call Communications, Inc., filed an Agreement to Penalties to resolve all violations to date that are known to Staff, of the rules cited in the Commission's Complaint.

CONCLUSIONS OF LAW

- 12 (1) The Washington Utilities and Transportation Commission has jurisdiction over the subject matter and the parties. Chapters 80.04 and 80.36 RCW.
- 13 (2) One Call Communications, Inc., violated WAC 480-120-141(2)(b) and WAC 480-120-141(4).

- 14 (3) The Agreement to Penalties, which is attached to this Order as Appendix A, is
consistent with the public interest.
- 15 (4) The settlement fully and fairly resolves the issues pending in Docket No. UT-
001090 and is in the public interest. The terms of the Agreement to Penalties
should be approved and adopted as set out therein.
- 16 (5) The Commission retains jurisdiction to effectuate the provisions of this order.

ORDER

17 THE COMMISSION ORDERS That the terms of the Agreement to Penalties, as
signed by representatives for the Parties, are hereby approved and adopted by the
Commission.

DATED at Olympia, Washington, and effective this day of March 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner