



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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EX PARTE

July 20, 2016

VIA EFCS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, Southwest
Washington, DC 20554

Re: *WC Docket No. 16-143, Business Data Services in an Internet Protocol Environment; WC Docket No. 15-247, Investigation of Certain Price Cap Local Exchange Carrier Business Data Services Tariff Pricing Plans; WC Docket No. 05-25, Special Access for Price Cap Local Exchange Carriers; RM-10593, AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services.*

Dear Ms. Dortch:

The Washington Utilities and Transportation Commission (UTC)¹ respectfully requests the Federal Communications Commission (Commission) revisit the underlying basis for its April 28, 2016, further notice of proposed rulemaking (FNPRM) aimed at increasing competition in the business data services market.²

Consistent with our previous comments dated February 11, 2016,³ the UTC continues to support the Commission's promotion of competitive markets during and after the ongoing technology transitions. However, the UTC is concerned by the recent acknowledgment by four large cable providers that they significantly undercounted the number of locations capable of providing business data services. Because this new information may likely affect the data framework

¹ The UTC has authority to "participate in proceedings before federal administrative agencies in which there is at issue the authority, rates or practices for transportation or utility services affecting the interests of the State of Washington, its businesses and general public" Wash. Rev. Code §80.01.075.

² WC Docket No. 16-143; WC Docket No. 15-247; WC Docket No. 05-25; RM-10593.

³ Letter from Steven V. King, Executive Director and Secretary, Washington Utilities and Transportation Commission, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 15-1 (filed February 11, 2016).

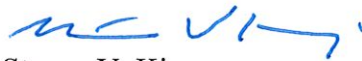
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underlying the Commission's determination of non-competitive areas, the UTC believes the prudent course is to incorporate the undercounted business data services information into a revised or new marketplace analysis that accurately reflects the state of the marketplace before moving forward on implementation of the FNPRM.

Respectfully submitted this 20th day of July, 2016.



Steven V. King

Executive Director and Secretary

Washington Utilities and Transportation Commission

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