

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In the Matter of the	)	
	)	DOCKET NO. UT-003013
	)	
Continued Costing and Pricing	)	
Proceeding for Interconnection,	)	NINETEENTH SUPPLEMENTAL
Unbundled Network Elements, Transport	)	ORDER
and Termination, and Resale	)	
	)	ORDER REJECTING VERIZON
	)	TARIFFS AND AUTHORIZING
.....	)	REFILING

**BACKGROUND**

- 1 On January 31, 2001, the Commission entered its Thirteenth Supplemental Order (Part A Order) in this proceeding resolving issues relating to certain compliance filings. The Part A Order required Verizon Northwest, Inc., to submit certain compliance filings by February 21, 2001.
  
- 2 On February 21, 2001, Verizon filed Advice Nos. 970 and 971 containing tariff revisions for its Tariffs Nos. WN U-21 and WN U-22. These included the following pages:

**Unbundled Network Elements**  
**WN U-21**

<b><u>SECTION</u></b>	<b><u>SHEET</u></b>	<b><u>REVISION</u></b>
Title	1	1 <sup>st</sup>
Table of Contents	1	1 <sup>st</sup>
Table of Contents	2	1 <sup>st</sup>
1	1	1 <sup>st</sup>
2	1	Original
3	1	Original
4	1	Original
4	2	Original
4	3	Original

**Unbundled Network Elements (continued)**

**WN U-21**

<b><u>SECTION</u></b>	<b><u>SHEET</u></b>	<b><u>REVISION</u></b>
5	1	Original
5	2	Original
5	3	Original
5	4	Original
5	5	Original
5	6	Original
5	7	Original
5	8	Original
6	1	Original
6	2	Original
6	3	Original

**Resale Local Exchange Services**  
**WN U-22**

<b><u>SECTION</u></b>	<b><u>SHEET</u></b>	<b><u>REVISION</u></b>
Title	1	1 <sup>st</sup>
Table of Contents	1	1 <sup>st</sup>
Table of Contents	2	1 <sup>st</sup>
1	1	1 <sup>st</sup>
2	1	Original
3	1	Original
4	1	Original
5	1	Original
6	1	Original
7	1	Original
8	1	Original
8	2	Original
8	3	Original

3

The Part A Order approved Verizon OSS recovery charges of \$3.27 for OSS transition, \$3.76 for OSS transaction, and \$4.92 for Verizon's national open market

costs (NOMC), and stated that the charges were to be applied per local service request (LSR). However, Advice Nos. 970 and 971 do not separately state the OSS recovery charges in each advice; rather, Verizon states that it has included the OSS charges approved by the Commission in other nonrecurring charges (NRCs) for unbundled network elements and services provided for resale.

- 4 Commission Staff and several joint parties (Joint CLECs) each commented on Verizon's filing. Both Staff and the Joint CLECs recommend that the Commission require Verizon to establish separate rates for OSS recovery on a per-LSR basis. On March 13, 2001, Verizon filed reply comments. Verizon contends that there is no reason to separate OSS cost recovery from the non-recurring charges in Advice Nos. 970 and 971 because restrictions on LSRs result in only one charge per LSR, and because the administrative burden and cost associated with separating OSS charges outweighs any potential benefit. Staff argues that these restrictions do not preclude the possibility of multiple OSS recovery charges on a single LSR and that the reasonableness of LSR restrictions has not yet been considered by the Commission
- 5 Neither the testimony of Verizon's witnesses nor Verizon's Part A post-hearing briefs make any mention of combining OSS recovery charges with other NRCs. There is no evidence in the record that supports Verizon's claim that burdensome administrative costs will be incurred. The Commission cannot consider facts that are presented for the first time in legal pleadings, and it is not otherwise apparent why Verizon would incur excessive costs in order to apply its OSS recovery charges in the precise manner it proposed during the evidentiary hearing.
- 6 The tariff revisions filed with the Commission by Verizon under Advice Nos. 970 and 971 on February 21, 2001, are not consistent with the Commission's Thirteenth Supplemental Order because they do not separately state the OSS recovery charges as approved by the Commission on a per-LSR basis. The Commission therefore concludes that the tariff revisions should be rejected as filed and that Verizon be authorized and required to refile its tariffs consistent with this Order.

### **ORDER**

THE COMMISSION ORDERS That:

- 7 The tariff revisions filed by Verizon Northwest, Inc., under Advice Nos. 970 and 971 on February 21, 2001, are rejected.
- 8 Verizon Northwest, Inc. is authorized and required to refile its tariffs consistent with this Order no later than 10 days after the date it is entered.
- 9 Verizon's filing must bear an effective date of 10 business days after the date it is filed. Commission Staff is directed to comment in writing within four business days

thereafter on whether the filing complies with the terms of this and prior orders. Other parties may respond to Commission Staff's filing no later than two business days after the Staff makes its filing. The compliance filing will not become effective unless and until authorized for effect by further Commission order.

10 The compliance filing required by this Order is strictly limited in scope to effectuate the terms of the Commission's decision and Order.

11 THE COMMISSION ORDERS FURTHER That it retains jurisdiction over the subject matter and the Parties to effectuate the provisions of this and prior orders in these proceedings.

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner