

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

In the Matter of the Petition of)	DOCKET UT-061625
)	
QWEST CORPORATION)	ORDER 10
)	
For an Alternative Form of Regulation)	ORDER APPROVING CUSTOMER
Pursuant to RCW 80.36.135)	NOTICES
)	
.....)	

Synopsis: The Commission approves the draft customer notices agreed upon by Qwest, Public Counsel, and the Commission Staff.

MEMORANDUM

- 1 On July 24, 2007, the Washington Utilities and Transportation Commission (Commission) entered Order 06, Order Accepting Settlement and Approving Alternative Form of Regulation (“AFOR”), On Conditions. That Order, among other things, required Qwest Corporation (Qwest) to file a draft customer notice for Commission approval advising customers of the AFOR plan approved by the Commission.¹

- 2 On September 18, 2007, Qwest filed draft customer notices for Commission approval. On September 19, 2007, Public Counsel filed a letter indicating that it believed the notices were unacceptable as to both form and content. On October 1, 2007, Qwest withdrew the notices filed on September 18, 2007, and replaced them with revised notices that were the result of discussions among Qwest, Public Counsel, and Commission Staff.² Qwest asserted that Staff concurred with the notices and that Public Counsel had not yet completed review.

¹ See ¶119.

² In formal proceedings, such as this case, the Commission’s regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an

3 On October 10, 2007, Qwest filed a corrected business customer notice stating that its
previous submission contained an error. On October 10, 2007, Qwest also filed
4 revised customer notices that it stated were acceptable to both Public Counsel and
Commission Staff. Accordingly, Qwest withdrew the customer notices filed October
1, 2007, and requested that the Commission approve the revised notices at the earliest
opportunity.

4 We have reviewed the customer notices Qwest submitted on October 10, 2007, and
conclude that they comply with Paragraph 119 of Order 06 entered in this proceeding.
The notices reasonably describe the AFOR previously approved by the Commission
and all parties agree to their form and content. Accordingly, the revised customer
notices filed on October 10, 2007, are approved.

FINDINGS OF FACT

5 Having discussed above in detail the evidence received in this proceeding concerning
all material matters, and having stated findings of fact and conclusions upon issues
and the reasons therefore, the Commission now makes and enters the following
summary of those facts, incorporating by reference pertinent portions of the detailed
findings:

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the
state of Washington, vested by statute with authority to regulate rates, rules,
regulations, practices, and accounts of public service companies, including
telecommunications companies.
- 7 (2) Qwest Corporation (Qwest) is engaged in the business of furnishing
telecommunications service for hire, sale, or resale to the general public for
compensation within the state of Washington.

- 8 (3) Order 06 in this proceeding required Qwest to file for Commission approval draft customer notices describing the alternative form of regulation approved by the Commission.
- 9 (4) On October 10, 2007, Qwest filed draft customer notices reviewed by and agreed to by both Public Counsel and the Commission Staff.
- 10 (5) The revised draft customer notices accurately describe the alternative form of regulation approved by the Commission.

CONCLUSIONS OF LAW

- 11 Having discussed above all matters material to this decision, and having stated detailed findings, conclusions, and the reasons therefore, the Commission now makes the following summary conclusions of law, incorporating by reference pertinent portions of the preceding detailed conclusions:
- 12 (1) The Washington Utilities and Transportation Commission has jurisdiction over the subject matter of, and parties to, this proceeding. *RCW Title 80.*
- 13 (2) Qwest Corporation is a “public service company” and a “telecommunications company,” as those terms are defined in RCW 80.04.010 and used in Title 80 RCW.
- 14 (3) The revised draft customer notices filed by Qwest Corporation on October 10, 2007, comply with the directive in Order 06 entered in this proceeding and should be approved.

ORDER

THE COMMISSION ORDERS:

- 15 (1) The revised customer notices filed by Qwest Corporation on October 10, 2007, are approved.

DATED at Olympia, Washington, and effective October 11, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner