

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**UT-990146**

Rulemaking, Chapter 480-120     )  
Telecommunications Operations    )

Reply Comments from Sprint

Sprint Corporation on behalf of United Telephone Company of the Northwest and Sprint Communications Company L.L.P. (collectively "Sprint") welcomes this opportunity for reply comments on the proposed Telecommunications Operations rules pursuant to the CR-102 Notice issued by the Commission on May 30, 2002.

These comments will not reiterate any points from our June 27, 2002, submission nor will we note where other commenters have agreed with our positions. We intend herein only to address points made by other commenters that we did not address in the June 27 comments.

Held Orders

Sprint agrees with Qwest, Verizon, and others that the proposed definition of "Held Orders" at page 9, lines 213-214, is technically inaccurate and likely to lead to confusion. Within the telecommunications industry, an order is "held" when there is a lack of facilities. An order for which the company does not provide service by the due date is a "missed commitment." The change of terms from "Held Order" to "Missed Commitment" should also be made at WAC 480-120-439, Service Quality Performance Reports.

WAC 480-120-061 Refusal of service

Sprint agrees with Qwest that the existing language for subsections (4) and (5) should be retained and that subsection (6) should be to match the existing rule except with respect to the “same class of service” language:

A company may deny telecommunications services to an applicant or subscriber for service at an address where a former subscriber is known to reside and has an overdue, unpaid prior obligation to the same company *for all telecommunications services provided by the company* at that address or another address until the obligation is paid or satisfactory arrangements are made.

As noted by AT&T, there is no reason to expect that a customer who has defaulted on one class of service will prove creditworthy on another class of service. Additionally, it is virtually impossible to attribute a partial payment on a bundled product to a particular class of service.

Sprint agrees with Verizon that the Commission should insert the following subsection after subsection (6):

The company may refuse, suspend or cancel service immediately and without prior notice in the event of excessive network usage that is determined to be fraudulent. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenue resulting from such fraudulent use.

#### WAC 480-120-103 Application for service

Sprint agrees with Qwest that subsection (4) should be modified to read:

When the application for service requires a service extension as defined in WAC 480-120-071, the requirement of subsection (1)(b) of this section applies and, for the purpose of determining when an extension must be completed, the order date shall be no later than the date the company receives the required initial payment.

#### WAC 480-120-104 Information to consumers

Sprint agrees with Qwest that the requirement at subsection (1)(c), page 16, lines 527-529, be eliminated as this requirement is already satisfied by the existing FCC rules with no additional burden on the local exchange carriers.

Sprint also agrees that the language at subsection (2), page 16, lines 535-542, should be modified to include the previous qualification of “material” change.

WAC 480-120-105 Company performance standards for installation or activation of access lines

Sprint agrees with Qwest that subsection (3) should be modified to specify that the rule does not hold the company to the installation interval standards when the customer is not available to provide needed access to the premises nor when the company is subject to force majeure, work stoppage, or other events reasonably beyond the company’s control.

Sprint agrees with Verizon that multiple-penalty proposal is unworkable. There are many scenarios in which it would be impossible, under the proposed rule, to determine which orders would be considered violations for penalty purposes.

WAC 480-120-107 Installation and activation credits

Sprint agrees with WITA that the rule as drafted actually provides an incentive for companies to schedule installation or activation later than they might otherwise and that, therefore, an additional sentence should be added to proposed subsection (3) as follows:

Service credits are not required if the LEC provides the customer twenty-four hours advance notice of a change in the installation or activation date and the new installation or activation date is within seven business days of the order date.

Sprint also agrees with WITA that the last sentence of proposed subsection (3) having to do with contacts for utility location services should be deleted because it would require poor business practices.

WAC 480-120-122 Establishing credit – Residential services

Sprint agrees with Verizon that proposed subsection (6) should be revised to include interexchange service since toll is not paid in advance.

WAC 480-120-146 Changing service providers from one local exchange company to another

Sprint agrees with Qwest that proposed WAC 480-120-146, page 27, lines 1047-1052, should be eliminated. Qwest makes a number of excellent points in support of this request, not the least of which is that the rule assumes a process that is unrealistically simple. There are numerous scenarios in which service *must* be discontinued *before* new service can be activated. Also, Qwest is correct in pointing out that the proposed rule fails to address the question of who is liable for the service provided and charges incurred during the period of time that service is extended beyond the date of disconnection requested by the customer.

WAC 480-120-147 Changes in local exchange and intrastate toll services

Sprint agrees with Verizon that subsections (1)(a)(v) and (2) should be changed because it is the LATA rather than state boundary that forms the demarcation point between services traditionally provided by LECs and IXCs.

WAC 480-120-161 Form of bills

Sprint supports Verizon's suggestion that proposed subsection (2)(b) be revised to read:

If a company is delayed in billing a customer, the company must, upon customer request, offer a reasonable payment schedule.

Verizon is correct that the proposed rule as written would mandate manual billing for some customers, a costly and burdensome requirement.

WAC 480-120-162 Cash and urgent payments

Sprint has the same difficulty quickly replacing a payment agency that Qwest describes and we support the suggestion that subsection (5) be modified to give the company sixty rather than thirty days to establish a replacement station.

WAC 480-120-167 Company responsibility

Sprint agrees strongly with Qwest that WAC 480-120-167, pages 37-38, lines 1511-1528, should be eliminated. This proposal establishes a policy that suggests a provider is not directly responsible for its own customer and could create substantial confusion, resulting in longer times to resolve customer problem rather than shorter.

WAC 480-120-172 Discontinuing service – company initiated

Sprint agrees with Qwest that subsection (6)(a) should be modified to change “receive” to “deliver.” The company has no control over when the customer receives a notice. Sprint also agrees with WITA that inconsistencies in grace period and payment requirements should be corrected. Sprint further agrees with WITA that the new language, “aggravate an existing medical condition,” is ambiguous and no explanation has been given to justify the change.

WAC 480-120-262 Operator services providers (OSPs)

Sprint supports Qwest and Verizon in requesting that the proposed modification of the existing rule requirement at subsection (3)(a), page 63, lines 2665-2671, which requires a specific form of disclosure, be eliminated. Any national OSP would have to establish unique, Washington-specific call routing, switch translations and identification of special queues to isolate aggregator traffic from non-aggregator traffic and to isolate Washington calls from other state calls. We also agree calls requiring the proposed oral rate disclosure will therefore require additional operator assistance and additional time that the customer is more likely to find irritating than helpful.

WAC 480-120-312 Universal Service cost recovery

Sprint agrees with Verizon that (2)(d) needs to be revised to comport with FCC rules. Section 54.314 outlines the state certification requirements for rural carriers with respect to Section 54.301, 305, and 307 and Part 36, Subpart F. The state certification requirements do not include Interstate Access Support, Long Term Support, or Interstate Common Line Support.

WAC 480-120-439 Service quality performance reports

Sprint agrees with Verizon that proposed subsection (4) is unnecessarily complex and cumbersome and supports Verizon's proposed revision. If the proposed rule is to be adopted, Sprint requests that at least "central office" be revised to read "exchange." Our company could report the requested information by exchange but not by central office.

WAC 480-120-440 Repair standards for service interruptions and impairments, excluding major outages

Sprint agrees with Verizon that it is unrealistic and unreasonable to require companies to repair all out-of-service except those that are part of a major outage within forty-eight hours and all other regulated service interruptions within seventy-two hours. The unpredictable nature of repair activity does indeed make it impossible to forecast the workforce needed to meet the requirements of the proposed rule. Sprint supports Verizon's suggestion that the standard be set at 95% in subsection (1) and 98% in subsection (2) rather than 100% in both.

WAC 480-120-450 Enhanced 9-1-1 (E911) obligations of local exchange companies

Sprint agrees with Verizon's point that the words "location of the ERL for that line" should be deleted from proposed subsection (1). It is true that accounts are not tied to a selective router based on the address they service.

Sprint also supports Verizon's suggestion that subsection (2)(d) be modified to specify one business day rather than twenty-four hours.

Respectfully submitted this 12<sup>th</sup> day of July, 2002, by

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