

*Amended August 29, 2006 4:29pm*

Agenda Date: August 30, 2006  
Item Numbers: **A4 and A5**

**Dockets: UT-061330  
UT-061393**

Company Name: Verizon Northwest Incorporated

Staff: Paula Strain, Telecommunications Expert

### **Recommendation**

1. Grant the request of Verizon Northwest Incorporated in Docket UT-061330 for an exemption from WAC 480-120-560(2) and (3) until March 1, 2007.
2. Allow the tariff revisions filed in Docket UT-061393 to Verizon Tariff WN U-20, reflecting the new expiration date, to go into effect on September 1, 2006 on less than statutory notice.

### **Background**

On August 16, 2006, Verizon Northwest Inc. (Verizon) filed a petition to extend an existing exemption from the requirements in WAC 480-120-560(2) and (3) regarding implementation intervals for requests for collocation. The existing exemption was granted on January 14, 2004, in Order 01, Docket UT-031995, and it expired on August 26, 2006. Verizon requested the original rule exemption so it could apply the implementation intervals for requests for collocation contained in the terms of a collocation settlement agreement among Verizon, Covad, AT&T and Sprint. This multi-jurisdiction agreement was negotiated and finalized among the four companies on August 27, 2003, to apply in the District of Columbia and 28 states, including Washington.

Verizon originally requested that the exemption extension be made permanent, and proposed that the note to the Collocation Service section of Verizon's tariff WN U-20, which refers to an August 26, 2006 expiration date, be deleted. Verizon stated that changing the currently-used intervals in Washington from the intervals used by the settling CLECs in numerous other states would be a hardship. Verizon argued that other collocators would not be harmed if the exemption were continued, because they could request that the Commission revisit a continuing exemption at any time.

### **Rate Impacts and Customer Notice**

In its petition, Verizon stated that it notified Covad, AT&T and Sprint about the exemption extension request, and that those parties support Verizon's petition. Staff confirmed this with those parties. As to other collocators that would be affected by this additional exemption, Verizon stated that the petition's publication on the Commission's filing list would be

sufficient notice to other non-settling CLECs. It also pointed out that the exemption would continue intervals Verizon has been using for collocators for three years; would only apply to new requests for collocation; and that if CLECs object to their use, they can bring the issue before the Commission.

### **Discussion**

Staff is concerned that non-settling CLECs that use Verizon's collocation tariff have not been notified about Verizon's proposal to make the exemption permanent. Reinstating the exemption for 6 months will allow all CLECs that are affected by the exemption to be notified and to comment on the exemption and the proposal to make it permanent. Therefore, Staff recommends that the exemption proposed by Verizon in Docket UT-061330 be allowed, with an expiration date of March 1, 2007.

In response to Staff's concerns, Verizon agreed to the temporary exemption expiring on March 1, 2007, and has filed in Docket No. UT-061393, proposed tariff sheets reflecting the change in expiration date of the collocation provisions it seeks to reinstate. Verizon proposes an effective date of September 1, 2006 for the tariff revision, which is less than 30 days' statutory notice. Staff recommends that the Commission allow the tariff revision to go into effect on less than statutory notice.

### **Conclusion**

Based on its analysis, Staff recommends the Commission grant the request of Verizon Northwest Incorporated in Docket UT-061330 for an exemption of WAC 480-120-560(2) and (3) until March 1, 2007, and allow the revisions to Verizon's Tariff WN U-20, reflecting the new expiration date, to go into effect on less than statutory notice in Docket UT-061393.