

DRAFTPROPOSED RULE MAKING (RCW 34.05.320)

CR-102 (7/10/97)

Do **NOT** use for expedites adoption

gency: WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION		X Original Notice	
Preproprosal Statement of Inquiry was filed as WSR 98-15-093; or □ Expedited AdoptionProposed Rule Making notice was filed as WSR; or			□ Supplemental Notice to WSR
□ Proposal is exempt under RCW 34.05.310(4).			
(a) Title of rule: (Describe Subject) Changes in local exchange and intrastate toll service providers. Docket No. UT-980675.			
Purpose: To provide intrastate consumers with appropriate consumer protections against unauthorized changes in their telecommunications service providers. Other Identifying Information:			
(b) Statutory authority for adoption: RCW 80.01.040(4); RCW 80.04.160		Statute being implemented:	
(c) Summary: The proposed rules would protect consumers against unauthorized changes in consumers' telecommunications service providers. The proposed rules would require telecommunications carriers to comply on an intrastate level with the mandates of recent federal orders that concern interstate telecommunication services and would allow consumers to "freeze" corners, a protective measure not required at the federal level. Reasons supporting proposal: A large and increasing number of consumers have filed complaints with the Commission, describing unauthorized changes in telecommunication service providers. Those changes cause frustration and expense to consumers and to other carriers, and means should be implemented to reduce or eliminate the practice.			
(d) Name of Agency Personnel Responsible for: 1. Drafting Carole Washburn, Secretary; 1300 S. Evergreen Pk. Dr. SW; Olympia, WA 98504 Telephone 360-664-1174			Telephone 98504 360-664-1174
2. Implementation Carole Washburn, Secretary; 1300 S. Evergreen Pk. Dr. SW; Olympia, WA 98504 360-664-1174			
3. Enforcement Carole Washburn, Secretary; 1300 S. Evergreen Pk. Dr. SW; Olympia, WA 98504 360-664-1174			
(e) Name of proponent (person or organization) Washington Utilities and Transportation Commission		□ Private □ Public X Governmental	
			□ Public
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Washington Utilities and Transportation Comm (f) Agency comments or recommendations, enforcement, and fiscal matters:	ission if any, as to statutory la if yes, ATTACH COPY		□ Public X Governmental
(f) Agency comments or recommendations, enforcement, and fiscal matters: None. (g) Is rule necessary because of: Federal Law? Federal Court Decision? Yes X No	ission if any, as to statutory la if yes, ATTACH COPY	OF TEXT	□ Public X Governmental on, ents to: retary: 1300 S. Evergreen Pk. Dr.
(f) Agency comments or recommendations, enforcement, and fiscal matters: None. (g) Is rule necessary because of: Federal Law?	if any, as to statutory lands of the control of the	Carole Washburn, Sec SW; Olympia, WA 9850	ents to: retary; 1300 S. Evergreen Pk. Dr. 04 By (date) November 12, 1999
(f) Agency comments or recommendations, enforcement, and fiscal matters: None. (g) Is rule necessary because of: Federal Law? Yes X No Federal Court Decision? Yes X No State Court Decision? Yes X No (h) HEARING LOCATION: Commission Hearing Room 2nd Floor; Chandler Plaza Building 1300 S. Evergreen Pk. Dr. SW Olympia, WA 98504 Date: November 30, 1999 Time: 9:30 a.m. Assistance for persons with disabilities: Contact	if any, as to statutory land if any, as to statutory land if yes, ATTACH COPYNO Citation:	Submit written comm Carole Washburn, Sec SW; Olympia, WA 9850 FAX (360)586-1150	ents to: retary; 1300 S. Evergreen Pk. Dr. 04 By (date) November 12, 1999
(f) Agency comments or recommendations, enforcement, and fiscal matters: None. (g) Is rule necessary because of: Federal Law? Federal Court Decision? State Court Decision? Yes X Notes X Not	if any, as to statutory land if any, as to statutory land if yes, ATTACH COPYNO Citation:	Submit written comm Carole Washburn, Sec SW; Olympia, WA 9850 FAX (360)586-1150 DATE OF INTENDED A November 30, 1999	ents to: retary; 1300 S. Evergreen Pk. Dr. 04 By (date) November 12, 1999
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(j) Short explanation of rule, its purpose, and anticipated effects: The proposed rule (Attachment 1) describes the process each telecommunications carrier must follow in order to accept and verify a consumer's desire to change telecommunications carriers, and to actually affect the change in carriers. Additionally, the proposed rules provide consumers with the opportunity to "freeze" their telecommunications carrier choice, so that no changes may be made without direct written or oral consent by the consumer.
Does proposal change existing rules? X YES □ NO If yes, describe changes: § 480-120-139The changes provide a revised set of verification requirements for carrier changes. The changes require companies to offer consumers the choice of a carrier freeze, and to give notice to customers about their option to choose a freeze.
(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW? □ Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to: telephoning: faxing:
X No. Explain why no statement was prepared. The proposed rules are expected to have no economic effect on regulated carriers. Telecommunications carriers currently comply with the rules adopted by the FCC; these rules, for the most part, mirror the federal rules. The proposed rules differ from the FCC in one way the proposed rules require carriers to offer a PIC freeze. However, carriers currently offer a PIC freeze or similar service, so the rules requiring them to do so will have no economic impact.
(I) Does RCW 34.05.328 apply to this rule adoption? Please explain: RCW 34.05.328 does not apply to WUTC; this rule change is not a significant legislative rule as defined in this statute.