



David A. Collier
Area Manager - Regulatory

645 E. Plumb Lane
PO Box 11010
Reno, NV 89502

T: 775.333.3986
F: 775-333-2364
david.collier@att.com

November 7, 2011

David Danner
Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket No. UT-111634

Enclosed for filing are comments regarding the Rulemaking to Implement SESH 1087, Chapter 50, Laws of 2011, Establishing Regulatory Fees from AT&T Communications of the Pacific Northwest, Inc., New Cingular Wireless PCS, LLC, and TCG Seattle (collectively "AT&T") in the above mentioned matter. Please let me know should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David Collier", written over a horizontal line.

David Collier
Area Manager - Regulatory

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

Rulemaking to Implement SESHB 1087,) DOCKET UT-111634
Chapter 50, Laws of 2011, Establishing)
Regulatory Fees) **AT&T**
_____)

COMMENTS
BY AT&T COMMUNICATIONS OF THE PACIFIC NORTHWEST, INC., NEW
CINGULAR WIRELESS PCS, LLC, AND TCG SEATTLE

Submitted this 7th day of November, 2011

Cynthia Manheim by Doc with permission

By: Cynthia Manheim, Esq., General Attorney

Representing AT&T Communications of the Pacific
Northwest Inc., New Cingular Wireless PCS, LLC, and
TCG Seattle

PO Box 97061
16331 NE 72nd Way
Redmond, WA 98073-9761
Telephone: (425) 580-8112
Facsimile: (425) 580-8333
Email: cindy.manheim@att.com

I. INTRODUCTION

The Washington Utilities and Transportation Commission (“UTC” or “Commission”) initiated the above referenced dockets to receive input regarding the Commission’s implementation of Second Engrossed Substitute House Bill 1087, Chapter 50, Laws of 2011, which authorizes the Commission to “establish federal telecommunications act services fees in fiscal year 2012 as necessary to meet the actual costs of conducting business and the appropriation levels in this section.”

II. DISCUSSION

A. Additional Information Required

To provide meaningful comment and discussion regarding the legislature’s directive to the Commission, AT&T believes it is important for the Commission to provide information regarding the following:

- 1) What is the amount of funding shortfall between the revenues the Commission currently receives from the existing regulatory fees and the Commission’s expenses related to the activities the WUTC performs on telecommunications activities?
- 2) Are the revenues that the Commission currently receives from regulatory fees decreasing?
- 3) Are the Commission’s expenses related to telecommunications activities increasing?
- 4) Is staff time associated with ETC and interconnection agreements for non-regulated carriers increasing?
- 5) Assuming that there is currently a revenue shortfall, does the UTC expect an increased funding shortfall in the future?

B. Principles for Any New Fee

AT&T believes that any fee established by the Commission should adhere to the four basic principles outlined below. First, the fee should be reasonable. Second, the fee should be a flat rate “filing” fee; fees should not be assessed on the number of hours staff work on a particular filing or any other formula based on hours. Third, the fee should only be assessed on those

companies that are not already paying the fee on regulated services. For example, if a filing fee is charged for a fully adopted interconnection agreement (“ICA”) submitted to the Commission for processing between the incumbent local exchange carrier (“ILEC”) and a commercial mobile radio service (“CMRS”) provider, the nominal filing fee should only apply to the CMRS provider as the ILEC is already paying a fee on a percentage of its regulated intrastate revenues. Fourth, there should be a graduated filing fee system, such that items which generally take less of staff’s time should have a lower filing fee and those items which generally take more of staff’s time should have a higher filing fee.

III. CONCLUSION

AT&T looks forward to receiving more information on the funding shortfall, if any, currently being experienced by the Commission. AT&T plans to participate at the Commission’s upcoming workshop.