

ATTACHMENT B

Price List and Contract Rules Draft

October 2, 2000

COMPETITIVELY CLASSIFIED TELECOMMUNICATIONS COMPANIES

WAC 480-80-X01 Price lists for services offered by competitively classified telecommunications companies under RCW 80.36.320.

(1) Competitively classified telecommunications companies must file price lists as required by RCW 80.36.320. The price list must state:

(a) All types of services offered by the company including, but not limited to:

- (i) Local exchange service;
- (ii) Long distance service;
- (iii) High speed data service;
- (iv) Message toll service;
- (v) Prepaid service; or
- (vi) Operator service.

(b) Actual or maximum price for service offered;

(c) A complete list of each service offered by geographic location; and

(d) A toll-free telephone number and web site address that customers can use to contact the company.

(2) All competitively classified companies are exempt from the requirements of RCW 80.36.130 unless the commission specifically orders otherwise.

(3) Price lists filed by competitively classified companies are accepted by the commission on a "file and use" basis. The commission will not review price list filings. Receipt of a price list by the commission does not constitute approval of the prices, terms, or conditions in that price list.

(4) Consistent with the provisions in this section and WAC 480-80-X02, competitively classified companies may offer and provide competitive services at prices, terms, and conditions other than those contained in a price list. An offer to a customer or a contract with a customer will not be considered unenforceable solely because it is less than the provisions of a price list.

(5) Each competitively classified company must maintain a complete and current copy of its price list on a web site accessible to the general public using commonly available web browsing software.

(6)(a) Any competitively classified company may file a price list that states a maximum price for any or all services.

(b) A competitively classified company stating a maximum price for any service must:

- (i) Disclose to the customer the actual price being charged for the service;

and

(ii) Give direct notice to the customer of any price increase at least ten days before it becomes effective.

WAC 480-80-X02 Contracts for services offered by competitively classified telecommunications companies under RCW 80.36.320.

(1) All competitively classified telecommunications companies are exempt from the requirements of RCW 80.36.150:

- (a) Except as provided for in this section; or
 - (b) Unless the commission specifically orders otherwise.
- (2) Competitively classified companies:

(a) Must file contracts with the commission if the contract provides for service to customers at rates other than those contained in the company's price list for that service.

(b) Are not required to file contracts for service at any rate below the maximum price if the price list states a maximum price for that service.

(3) Competitively classified companies must:

(a) Submit any contract required to be filed with the commission under this section no later than five days after it becomes effective; and

(b) Include a non-confidential statement of all essential terms and conditions.

TELECOMMUNICATIONS COMPANIES NOT COMPETITIVELY CLASSIFIED.

WAC 480-80-X03 Price lists for competitively classified telecommunications services under RCW 80.36.330.

(1) Telecommunications companies not competitively classified offering competitively classified services must file price lists as required by RCW 80.36.320. The price list must state:

(a) All types of services offered by the company including, but not limited to:

- (i) Local exchange service;
- (ii) Long distance service;
- (iii) High speed data service;
- (iv) Message toll service;
- (v) Prepaid service; or
- (vi) Operator service.

(b) Actual or maximum and minimum price for service offered;

(c) A complete list of each service offered by geographic location; and

(d) A toll-free telephone number and web site address that customers can use to contact the company.

(2) Price lists filed by companies not competitively classified offering competitively classified services are accepted by the commission on a "file and use" basis. Receipt of a price list by the commission does not constitute approval of the prices, terms, or conditions in that price list.

(3) Consistent with the provisions in this section and WAC 480-80-X04, companies not competitively classified may offer and provide competitively classified services at prices, terms, and conditions other than those contained in a price list. An offer to a customer or a contract with a customer will not be considered unenforceable solely because it is less than the provisions of a price list.

(4) Each company not competitively classified must maintain a complete and current copy of its price list on a web site accessible to the general public using commonly available web browsing software.

(5) A company not competitively classified stating a maximum and minimum price for any service must:

(a) Disclose to the customer the actual price being charged for the service; and

(b) Give direct notice to the customer of any price increase at least ten days before it becomes effective.

(6) The actual price or, in the case of price lists stating a maximum and minimum price, the minimum price of each competitively classified telecommunications service must cover the cost of that service.

WAC 480-80-X04 Contracts for competitively classified telecommunications services under RCW 80.36.330.

Telecommunications companies not competitively classified providing competitively classified services:

(1) Must file contracts with the commission if the contract provides for service to customers at rates, terms, or conditions other than those contained in the company's price list for that service:

(a) No later than five days after it becomes effective; and

(b) Include a non-confidential statement of all essential terms and conditions.

(2) Are not required to file contracts for service at any rate within that range, if the price list states a maximum price and a minimum price for a service.

(3) Must be able to demonstrate, at a minimum, that the price of each competitively classified telecommunications service provided by contract covers the cost of that service.