

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Amending,) DOCKET NO. UT-990146
Adopting and Repealing:)
Chapter 480-120 WAC) GENERAL ORDER NO. R-507A
Relating to Telephone Companies.) ORDER CORRECTING
ADOPTION DATE FOR TWO
SECTIONS AND CORRECTING
.....) REFERENCE IN WAC 480-120-173

- 1 On December 12, 2002, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser an Order Amending, Adopting and Repealing Rules Permanently for chapter 480-120 WAC, relating to telephone companies. The Order is filed at WSR #03-01-065. The effective date for the amendment, adoption, and repeal of the rules is July 1, 2003.
- 2 Recently, the Commission learned that through a scrivener's error WAC 480-120-017 and WAC 480-120-019 were erroneously omitted from the list of adopted sections in paragraphs 174 and 178 of the Order. The Commission intended that all the rules submitted for adoption in the order at WSR # 03-01-065 would become effective July 1, 2003. Without this correction, WAC 480-120-017 and WAC 480-120-019 would go into effect before July 1, 2003, prior to all the other sections submitted with this filing. Moreover, the Commission would have two "Severability" rules in effect, WAC 480-120-017 and WAC 480-120-545, which would not be repealed until July 1, 2003.
- 3 In order to facilitate a smooth transition from the current rules to the newly adopted rules, and to avoid having two rules on the same subject, the Commission corrects General Order No. R-507 to reflect an effective adoption date of July 1, 2003, for WAC sections 480-120-017 and 480-120-019.
- 4 Accordingly, the Commission enters this Order to correct General Order R-507 by amending paragraphs 174 and 178 to include WAC sections 480-120-017 and 480-120-019 as adopted sections to take effect on July 1, 2003.

5 Additionally, the Commission learned that WAC 480-120-173, Restoring service after discontinuation, contains an incorrect reference to WAC 480-120-061 (7) in the last sentence of subsection (1) (a). WAC 480-120-061 does not contain a subsection (7). The rule should instead refer to WAC 480-120-173 (1) (b). Failure to correct the section reference in the rules submitted to the Code Reviser with the Adoption Order constitutes an oversight.

6 Accordingly, the Commission enters this Order to correct the section reference in the last sentence of WAC 480-120-173 (1) (a). The reference should read WAC 480-120-173 (1) (b). A copy of the corrected rule is attached to this Order as Appendix A.

ORDER

7 THE COMMISSION ORDERS That General Order No. R-507 is amended as follows:

- 8 (1) Paragraphs 174 and 178 are amended to include WAC sections 480-120-017 and 480-120-019 as adopted sections to take effect pursuant to RCW 34.05.380 (2) on July 1, 2003.
- 9 (2) The section reference, WAC 480-120-061 (7) , in the last sentence of WAC 480-120-173 (1) (a) is corrected to read WAC 480-120-173 (1) (b) as described in paragraph 5 above and set forth in Appendix A, to take effect pursuant to RCW 34.05.380 (2) on July 1, 2003.

DATED at Olympia, Washington, this ____ th day of January, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

APPENDIX ANEW SECTION

WAC 480-120-173 Restoring service after discontinuation. (1) A company must restore a discontinued service when:

(a) The causes of discontinuation not related to a delinquent balance have been removed or corrected. In the case of deceptive practices as described in WAC 480-120-172 (1)(a), this means the customer has corrected the deceptive practice and has paid the estimated amount of service that was taken through deceptive means, all costs resulting from the deceptive use, any applicable deposit, and any delinquent balance owed to the company by that customer for the same class of service. A company may require a deposit from a customer that has obtained service in a deceptive manner as described in WAC 480-120-172 (1)(a). A company is not required to allow six-month arrangements on a delinquent balance as provided for in WAC 480-120-173 (1)(b) when it can demonstrate that a customer obtained service through deceptive means in order to avoid payment of a delinquent amount owed to that company;

(b) Payment or satisfactory arrangements for payment of all proper charges due from the applicant, including any proper deposit and reconnection fee, have been made. Applicants or customers, excluding telecommunications companies as defined in RCW 80.04.010, are entitled to, and a company must allow, an initial use, and then, once every five years dating from the customer's most recent use of the option, an option to pay a prior obligation over not less than a six-month period. The company must restore service upon payment of the first installment if an applicant is entitled to the payment arrangement provided for in this section and, if applicable, the first half of a deposit is paid as provided for in WAC 480-120-122; or

(c) The commission staff directs restoration pending resolution of any dispute between the company and the applicant or customer over the propriety of discontinuation.

(2) After the customer notifies the company that the causes for discontinuation have been corrected, and the company has verified the correction, the company must restore service(s) within the following periods:

(a) Service(s) that do not require a premises visit for reconnection must be restored within one business day; and

(b) Service(s) that requires a premises visit for reconnection must be restored within two business days. Companies must offer customers a four-hour window during which the company will arrive to complete the restoration.

(c) For purposes of this section Saturdays are considered business days.

(3) A company may refuse to restore service to a customer who has been discontinued twice for deceptive practices as described in WAC 480-120-172 (1)(a) for a period of five years from the date of the second disconnection, subject to petition by the customer to the commission for an order requiring restoration of service based on good cause.

[Service Date January 17, 2003]
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WSR# 03-03-090]