

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

In the Matter of the Petition of	)	DOCKET NO. UT-030704
	)	
Qwest Corporation	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	
Seeking Exemption from the	)	
Provisions of WAC 480-120-439(4)	)	
Relating to Installation or	)	ORDER GRANTING
Activation of Basic Service and	)	EXEMPTION FROM RULE AND
Requesting Alternative Form of	)	APPROVING ALTERNATIVE
Reporting	)	FORM OF REPORTING
.....	)	

**BACKGROUND**

- 1     On May 14, 2003, Qwest Corporation (Qwest or the Company) filed a petition requesting exemption from WAC 480-120-439(4) and approval of an alternative method of reporting under WAC 480-120-439(12).
- 2     WAC 480-120-439(4) establishes reporting intervals for installation or activation of basic service while WAC 480-120-439(12) enables companies to propose an alternative form of the service quality reports required by WAC 480-120-439.
- 3     On August 22, 2003, Qwest filed a letter to revise the alternative form of reporting contained in its original petition. Qwest agreed to provide, as part of its 90-day and 180-day reports, information on the number of pending orders due past their due date. This information would be based on the OP-15A measure included in Qwest’s Performance Assurance Plan.

- 4 Qwest cited accuracy and extraordinary expenses with modifying their centralized, 14-state reporting system from an orders completed to an orders taken format as required by WAC 480-120-439(4).
- 5 Commission Staff reviewed the request and recommended granting Qwest's request for exemption.
- 6 The Public Counsel Section, Attorney General of Washington, recommended that the Commission deny the petition. Public Counsel asked that, if the Commission grants the exemption, it require that Qwest submit the OP-15A data as part of its monthly report in addition to the quarterly and semi-annual reports. Public Counsel also asked that the Commission require Qwest to report on certain customer guarantee programs.
- 7 In response to Public Counsel's comments, Qwest amended its petition at the open meeting by agreeing to submit the OP-15A data as part of its monthly report, beginning in the first quarter of 2004.

### FINDINGS AND CONCLUSIONS

- 8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.36 RCW.*
- 9 (2) Qwest is engaged in the business of providing telecommunications services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 80.36 RCW.

- 10 (3) Qwest is subject to the provisions of WAC 480-120-439(4), requiring telecommunications companies to file monthly and quarterly reports detailing the number of installation orders not completed in the required intervals of 5, 90 and 180 days.
- 11 (4) WAC 480-120-439(12) provides that the Commission may approve a telecommunications company providing an alternative measurement or reporting format for any of the service quality reports required in WAC 480-120-439.
- 12 (5) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 13 (6) This matter was brought before the Commission at its regularly scheduled meeting on September 10, 2003.
- 14 (7) After review of the petition filed in Docket UT-030704 by Qwest on May 14, 2003, and amended on August 22, 2003, and at the open meeting on September 10, 2003, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted and the alternative reporting format, as modified, should be approved.

**ORDER**

THE COMMISSION ORDERS:

- 15 (1) After the effective date of this Order, Qwest Corporation is granted an exemption from WAC 480-120-439(4), installation or activation of basic service.
- 16 (2) After the effective date of this Order, the alternative form of reporting installation or activation of basic service is approved, as prescribed by WAC 480-120-439(12). Qwest must begin reporting the data based on the OP-15A measure in the first quarter of 2004.
- 17 (3) The Commission retains jurisdiction over the subject matter and Qwest Corporation to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective 10<sup>th</sup> day of September, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner