

**Proposed Rules, August 30, 2001**

**NEW SECTION**

**WAC 480-120-083 Cessation of Telecommunications Services**

- (1) This rule applies to telecommunications companies who cease, or reduce any telecommunications service. This rule does not apply to:
  - a. Services offered by tariff that are subject to the statutory notice requirements of RCW 80.36.110 (Tariff Changes – Statutory Notice – Exception);
  - b. Discontinuance of service to an individual customer in compliance with WAC 480-120-081 (Discontinuance of Service); and
  - c. Cessation of a service when the provider replaces the terminated service with comparable service and without interruption. For example, the notice requirements of this rule do not apply when a LEC providing Centrex with one group of features replaces that service, without interruption, with a version of Centrex that has a different group of features.

Changes in customers' service providers for local exchange and intrastate toll services when there is a cessation of service are also subject to WAC 480-120-139 (changes in local exchange and intrastate toll services).
- (2) No telecommunications company may cease, or reduce any telecommunications services unless it first provides written notice to the following persons at least 30 days in advance of cessation of service:
  - a. to the commission;
  - b. to the state 911 program, in the instance of local exchange service, private branch exchange service (PBX), centrex, or private line service used in the provision of emergency services related to the state 911 program;
  - c. to each of its customers, including customers that are telecommunications companies;
  - d. to incumbent local exchange carriers (ILECs) providing the exiting telecommunications company with unbundled network elements (UNEs) pursuant to the Telecommunications Act of 1996, 47 U.S.C. Section 151 *et seq.*, if UNEs or combinations of UNEs are part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;
  - e. to each telecommunications company providing the exiting telecommunications company with resold telecommunications service, if resold service is part of a telecommunications service provided to some or all of the exiting telecommunications company's customers;
  - f. to the national number administrator, when applicable, authorizing the release of all assigned telephone numbers to other telecommunications companies and releasing all unassigned telephone numbers to the number administrator.
- (3) The notice to the commission and the state 911 program required in subsections (2)(a) and (b) must, at a minimum, include the name of the exiting telecommunications company, and for each category of service, provide the date each telecommunications service will cease, and the number of customers for each telecommunications service and their location, described by exchange or by city and county for each telecommunications service being ceased.

- (4) The notice to customers required in subsection (2)(c) must, at a minimum, include the date telecommunications service will cease and information on how to contact the exiting telecommunications company by telephone in order to obtain service information needed to establish service with another provider, and to explain how customers may receive a refund on any unused service. In addition:
  - a. beginning at least fifteen days before cessation of voice service, the exiting telecommunications company must provide oral notice of cessation of service at the beginning of each call originated in Washington, including the date of cessation of service and a number to call for more information; and
  - b. the exiting company must provide information to consumers via its customer service number outlining the procedure for obtaining refunds and continue to provide this information for sixty days after the date of cessation of service.
- (5) The notice to ILECs required in subsection (2)(d) must, at a minimum, include the date telecommunications service will cease, and identify the UNE components in relationship to the service information provided to the customer when such information differs from the ILEC's identification information of such services as billed to the exiting telecommunications company. For example, if the ILEC identifies a UNE loop with a circuit identification number, the exiting telecommunications company must provide the ILEC with the customer telephone number assigned to the ILEC's UNE loop circuit identification number. The notice must also include telephone contact information to enable the ILEC or new provider to obtain UNE service and circuit identification information needed to establish service for a customer who will no longer receive service from the exiting telecommunications company.
  - a. ILECs shall provide the information in the notice(s) required in this subsection to the subsequent provider upon a request authorized by the customer,
  - b. ILECs may not use the information in the notice(s) required in this subsection to initiate marketing efforts.
- (6) The notice to suppliers required in subsection (2)(e) must, at a minimum, include:
  - a. the date telecommunications service will cease, and identification of the resold service element components in relationship to the service information provided to the customer when such information differs from the supplier's identification information regarding such services as billed to the exiting telecommunications company;
  - b. telephone contact information to enable the regulated supplier or new provider to obtain underlying service and circuit identification information needed to establish comparable replacement service for a customer who will no longer receive service from the exiting telecommunications company.Telecommunications companies that are suppliers, pursuant to this subsection, shall provide the information in the required notice(s) to the subsequent provider upon a request authorized by the customer.
- (7) The notice required in subsection (2)(f) to the national number administrator authorizing the release of all assigned telephone numbers to the succeeding providers shall include identification of all working telephone numbers assigned to customers, identification of all unassigned or administrative numbers available for reassignment to other providers and the date such unassigned telephone numbers will be available for reassignment. The exiting telecommunications company shall authorize the

release of each individual assigned customer telephone number(s) to subsequent providers selected by the customer.

- (8) A telecommunications company ceasing a local exchange service, a PBX service, a centrex service, or a private line service used in the provision of emergency services related to the state 911 program must inform the commission and the state 911 program within twenty-four hours of the cessation of telecommunications service of the number of customers and their location, listed by exchange or by city and county, that remained as customers for the telecommunications service when service ceased.