

AMENDATORY SECTION (Amending WSR 02-11-080, filed 5/14/02, effective 6/17/02)

WAC 480-121-040 Granting or denying ((petitions)) applications for registration. (1) The commission secretary may grant an application for registration without hearing when the application is on a form prescribed by the commission and contains the following:

- (a) The name and address of the company;
- (b) The name and address of its registered agent, if any;
- (c) Name, address, and title of each officer or director;
- (d) The most current balance sheet;
- (e) The latest annual report, if any; and
- (f) A description of the telecommunications services it offers or intends to offer.

(2) The commission may deny an application for registration if, after hearing, the commission finds that the application is not consistent with the public interest or that the applicant:

- (a) Failed to provide the information required by RCW 80.36.350;
- (b) Failed to provide the performance bond described in RCW 80.36.350 and WAC 480-120-127, if required;
- (c) Does not possess adequate financial resources to provide the proposed service; or
- (d) Does not possess adequate technical competency to provide the proposed service.

(3) The commission may deny an application for registration submitted by an alternate operator services company if, after hearing, the commission finds that the services or charges offered by the company are not consistent with the public convenience and advantage.

AMENDATORY SECTION (Amending WSR 02-11-081, filed 5/14/02, effective 6/17/02)

WAC 480-121-065 Customer notice requirements—Petition for competitive classification of a service or a company. (1) When a telecommunications company petitions for competitive classification of a telecommunications service(s), the company must provide notice to each affected customer at least thirty days before the requested effective date.

- (2) Each customer notice must include, at a minimum:
 - (a) The date the notice is issued and the proposed effective date of the competitive classification;
 - (b) The company name and address;
 - (c) A clear explanation of the proposal to give customers the basis for understanding the proposal and the potential impact of the change. The company may satisfy this requirement with its own explanation or by using commission-developed language available from the commission's designated public affairs officer;
 - (d) A description of how customers may contact the company if they have specific questions or need additional information about the proposal; and
 - (e) Public involvement language. A company may choose from:

(i) Commission-suggested language that is available from the commission's designated public affairs officer; or

(ii) Company-developed language that must include the commission's mailing address, toll-free number, and docket number, if known, and a brief explanation of:

(A) How to participate in the commission's process by mailing or faxing a letter, or submitting an e-mail; and

(B) How to contact the commission for process questions or to be notified of the scheduled open meeting at which the proposal will be considered by the commission.

(3) Methods of notice permitted include a bill insert, bill message, printing on the billing envelope, a separate mailing to all affected customers or, if the company has the capability and the customer has authorized, by e-mail.

(4) Within ten days of making a filing requiring posting, publication, or customer notice, a company must file a declaration with the commission's records center that the required notice has been posted, published, and/or mailed. The declaration must include:

(a) The methods used to post, publish, and/or give notice to customers;

(b) When the notice was first posted, published, and/or issued to customers;

(c) How many customers are affected; and

(d) A copy of the notice.

(5) A company may request assistance from the commission's designated public affairs officer with efforts to comply with this section.

(6) The commission may require notice to customers other than those described in this rule when the commission determines that additional customer education is needed.

REPEALER

The following sections of the Washington Administrative Code are repealed:

| | |
|-----------------|---|
| WAC 480-121-011 | Application of rules. |
| WAC 480-121-015 | Exemptions from rules in chapter 480-121 WAC. |
| WAC 480-121-016 | Additional requirements. |
| WAC 480-121-017 | Severability. |
| WAC 480-121-018 | Delivery of a filing. |
| WAC 480-121-026 | Rejecting a filing. |