

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re the Matter of the Petition of)	
)	DOCKET NO. UT-990022
U S WEST COMMUNICATIONS, INC.)	
)	
for Competitive Classification of its High)	NINTH SUPPLEMENTAL ORDER
Capacity Circuits in Selected Geographic)	APPROVING COMPLIANCE TARIFF
Locations)	FILING, WITH CONDITIONS
.....)	

Summary

Compliance Tariff Filing:

1. On January 8, 1999, U S WEST filed a petition for competitive classification of its high-capacity circuits pursuant to RCW 80.36.330 and WAC 480-120-023. Specifically, U S WEST requested that the Commission classify as competitive its provisioning of DS-1, DS-3, and SONET [synchronous optical network] services within the Greater Seattle, Vancouver, and Spokane areas.
2. In January 2000, the Commission granted U S WEST's petition for competitive classification of its high-capacity services, as amended on June 11, 1999. The order was effective for six geographic market areas delineated in the amended petition: Seattle Elliot, Seattle Main, Seattle Campus, Seattle Duwamish, Bellevue Glencourt, and a limited portion of downtown Spokane. The Commission found that competition for high-capacity circuits was sufficiently robust to allow U S WEST to join the competition, relieve U S WEST for price regulation of the services, and to let the competitive market work to determine prices, subject to the minimum statutory requirements under RCW 80.36.330.
3. On January 11, 2000, U S WEST filed Compliance Tariff Revisions and Price Lists (Compliance Filing) with Commission in accordance with the Eighth Supplemental Order Granting Amended Petition for Competitive Classification (Final Order).

Commission Decision:

4. Subject to the conditions set forth in this order, the Commission approves U S WEST's Compliance Filing and orders that U S WEST is authorized to provide the services contained in and pursuant to those filings and the Eighth Supplemental Order.

Memorandum

Discussion of Issues:

5. Upon review of U S WEST's tariffs and the Compliance Filing, Commission Staff

discovered that the filing met all substantive requirements of the First Order. However, Staff discovered several minor, technical errors. The Commission approves U S WEST's Compliance Filing subject to the condition that U S WEST correct the errors. U S WEST has committed to do so.

6. First, the map of the Main and Elliott wire centers in U S WEST's compliance filing was not labeled. In addition, U S West agrees to add text descriptions to clarify the actual boundaries.
7. Second, U S WEST charged its customers \$970 non-recurring charge for services they ordered under U-31, Section 15, 1st Revised Sheet 30, for USOC's D10XM, D10X3, D10X5, and D10X7. The tariff rate was \$900. From June 14, 1999 to the date of this Order, U S WEST has overcharged for 358 Non-Recurring Charges for a total amount of \$25,060.00. It should be required to refund the overcharges on the schedule identified below and to report the results of its refund in detail.
8. Third, references to DC Line Powering and ZBTISI Protocol, which were grandfathered in 1995, in Docket No. UT-951291 but which were not removed from the tariff pages. U S West must issue correction sheets as specified below.
9. The Commission finds that, subject to the condition that U S WEST correct the errors discovered by Commission Staff in U S WEST's tariffs and Compliance Filing, the Compliance Filing filed by U S WEST on January 11, 2000, is consistent with the Eighth Supplemental Order and should be approved on condition that the technical problems are corrected on the schedule identified below.

Order

10. The tariff Compliance Filing filed by U S WEST on January 11, 2000, in accordance with the Eighth Supplemental Order in this proceeding, and subject to the conditions set forth in this order, will become effective as filed, and the rates, charges, and conditions set forth in the Compliance Filing are specified as the rates, charges, and conditions to be applicable to service on and after February 18, 2000. The company is specifically authorized to submit corrected pages to the Commission no later than 5 p.m. on March 3, 2000. If those pages contain the corrections specified herein and only those corrections they will become effective as though timely filed with the remainder of the filing. The Commission further directs the Company to cease its overcharges and to refund all monies collected in excess of the allowable tariff charges within 21 days after the date of this order and to report the completion of this task, with all pertinent details, no later than 30 days after the date of this order.

Dated at Olympia, Washington, and effective this 18th day of February 2000.

WASHINGTON UTILITIES AND TRANSFORMATION COMMISSION



MARILYN SHOWALTER, Chairwoman



RICHARD HEMSTAD, Commissioner



WILLIAM R. GILLIS, Commissioner