November 11, 1999

Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket No. UT-991573- Commission Review of Toll Carrier Obligations.

Dear Ms. Wasburn:

The Washington Independent Telephone Association (WITA) welcomes the opportunity to file comments in this docket. Pursuant to the request stated in the Notice, enclosed is the original plus ten copies of these comments, as well as a disk in Wordperfect format.

With the impending withdrawal of US WEST Communications, Inc. as a toll carrier in many rural areas in the state of Washington, this issue is timely. WITA's member companies are concerned about the availability of customer choice in rural areas in the state of Washington as it relates to choice among competing toll carriers. WITA's members are also concerned about the availability of all discount toll calling plans in rural areas of the state.

Illustrative of this issue is the difficulty that some of the rural companies had in getting interexchange carriers to submit access service requests (ASR), which are the industry-standard forms for turning up toll service for a carrier, when intraLATA equal access or dialing parity was placed into effect on February 8, 1999. Several of the companies had to work closely with the interexchange carrier to get them to place their ASRs and offer service. Some of the interexchange carriers indicated that they would be willing to offer intraLATA service, but did not wish to have their company available for customer selection. In other words, they wanted to market on a selective basis. Other carriers were slow in submitting requests. Whether the delay in submitting requests was through a lack of desire to provide service in the area or issues of internal bureaucracy is unknown.

It is WITA's belief that currently consumers in all areas of the state have reasonable choices of intrastate long distance providers at affordable rates. Some of the dial around promotions (along the lines of 10-10-321) may not be available in all areas of the state. However, given the billing practices and miscellaneous charges associated with some of those plans, that may be more a blessing than a curse.[1]

One of the questions asked by the Commission in its Notice is whether originating or terminating access charges or billing and collection charges or other charges for ordering access services may have an adverse effect on the availability of toll services in rural areas of the state. WITA believes that may well be a factor, for political or psychological reasons, if for no other reason. However, the costs characteristics of rural companies drive the fact that there are higher access rates in rural areas that are in more urban areas. If cost characteristics of serving rural areas of larger companies such as

[1] In the short time between the date of the notice and the date of filing of comments, WITA has not had an opportunity to fully determine whether consumers in the state have access to all calling plans and promotions that long distance carriers offer to consumers in urban areas of the state.

US WEST are examined in detail, then it is more likely than not that the access rates of rural areas of US WEST are being subsidized by the access rates of the more urban areas of US WEST. This suggests that in viewing a toll offering, it is more appropriate to view the total access bill throughout the state rather than isolating review on specific areas.

Much of what in telecommunications today is done on crisis basis. WITA suggests that this is a subject which can be addressed before the crisis develops. There should be a longer period of time taken to develop the facts surrounding this proposal. While there has been some advocacy from some of WITA's member companies that the safety net needs to be in place before US WEST withdraws as a intraLATA carrier, that may not have to be the absolute result. Certainly, it would be ideal to have a solution in place by March 31, 2000, which is the target date for US WEST to leave many of independent company territories. However, a lag of a few months would not be catastrophic if everything else remains the same in terms of carriers offering service. A slightly more deliberative process may produce the best answer to this issue.

WITA suggest that one of the more productive areas to examine as a solution to this issue is a rule requiring that any carrier offering originating service in the state of Washington offer both interLATA and intraLATA originating service. It is not logical in today's market to continue the intraLATA/interLATA distinction. If a carrier wishes to serve in Washington, the carriers should be offering service as a Washington state carrier. The LATA boundary has limited relevance today only so far as the section 271 checklist is concerning for US WEST. It is an artificial distinction as to other carriers and should not be maintained. This solution has the advantage of being minimally evasive into market forces.

Another issue to strongly consider is whether carriers should provide at least six months notice prior to ceasing to offer service in any exchange. This does not effect market entry to any great degree. And it allows a reasonable planning period for market exit.

WITA suggest that the Commission call for a second round of comments to be due on or before December 31, 1999; a workshop to be held in January, 2000 and a final decision on whether to proceed to a rule making by mid-February, 2000.

Thank you for the opportunity to comment.

Sincerely,

TERRY VANN

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