

Agenda Date: September 24, 2020

Item Numbers: A5 and A6

Dockets and Company Names: UT-200776 - The Toledo Telephone Co., Inc
UT-200786 - Pend Oreille Telephone Company

Staff: Sean Bennett, Regulatory Analyst
Jing Roth, Assistant Director - Telecommunications

Recommendation

Enter an Order Granting The Toledo Telephone Co., Inc., and Pend Oreille Telephone Company's Requests for Exemption from WAC 480-123-110(5).

Background

On September 2, 2020, The Toledo Telephone Co., Inc., (Toledo or companies) filed a petition requesting that the Washington Utilities and Transportation Commission (commission) grant an exemption from the August 2 filing deadline contained in WAC 480-123-110(5).

On September 8, 2020, Pend Oreille Telephone Company (Pend Oreille or companies) filed a petition requesting that the Washington Utilities and Transportation Commission (commission) grant an exemption from the August 2 filing deadline contained in WAC 480-123-110(5).

The rule requires that any company petitioning for state universal service fund (USF) must file its request no later than August 2 each year.

Discussion

Commission staff (staff) has reviewed the petitions for exemption from the rule requirement. Staff's review took into consideration the intent of the state USF program, which promotes maintaining, enhancing, and providing broadband and telecommunication services in rural areas. The commission's procedural rules provide that the commission may grant an exemption from, or modify the application of, any of its rules if the exemption or modification is "consistent with the public interest, the purposes underlying regulation, and applicable statutes." *WAC 480-07-110(1)*. Staff believes that granting the petitions for exemption is in the public interest since it will allow the Companies to seek a distribution from the state USF program.

Recommendation

Commission staff recommends that the commission enter an order granting the companies' requests for exemption from WAC 480-123-110(5)