

U S WEST Communications, Inc.

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Mark Roellig

Senior Counsel - Washington

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USWEST®
COMMUNICATIONS Ⓜ

STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

March 6, 1991

Mr. Paul Curl
Acting Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P. O. Box 9022
Olympia, WA 98504

Re: In the Matter of Amending the Commission's
Telecommunications Rules Relating to
Telecommunications Glossary, Alternative Operative
Services, Pay Telephones and Form of Bills
Cause No. UT-900726 and UT-900733

Dear Mr. Curl:

Enclosed for filing please find an original and nineteen
copies of U S WEST Communications' Comments in the above-
referenced matter.

Very truly yours,


MARK ROELLIG

MDR00339

Enclosure

cc: D. Trotter - w/encl.

C. Adams - w/encl.

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Amending)	DOCKET NO. UT-900726
the Commission's)	UT-900733
Telecommunications Rules)	
Relating to Telecommunications))	COMMENTS OF U S WEST
Glossary, Alternative)	COMMUNICATIONS, INC.
Operative Services, Pay)	
Telephones and Form of Bills)	

I. INTRODUCTION

COMES NOW U S WEST Communications, Inc. (hereinafter "USWC"), and pursuant to RCW 34.05.325 submits its comments to the proposal of the Washington Utilities and Transportation Commission (hereinafter "WUTC") to amend its rules relating to telecommunications glossary, alternative operator services, pay telephones and form of bills.

USWC commends the WUTC for the effort taken to incorporate within these revised proposed rules a number of the requirements also contained within the FCC alternative operator services (hereinafter "AOS") rulemaking proceeding. This approach will benefit all parties and is less burdensome than if the WUTC attempted to create a diverse and unique set of requirements specific to the state of Washington. In addition, USWC appreciates the changes made to the proposed rules based upon prior comment of USWC and other interested parties.

1 USWC assumes it is included as an AOS in the revised
2 proposed rules due to the change in the glossary definition of
3 an AOS and in that regard makes the following comments.
4

5 II. SPECIFIC COMMENTS ON REVISED RULES

6 A. Proposed WAC 480-120-121 - Glossary

7 USWC continues to support exclusion of Local Exchange
8 Companies (hereinafter "LEC") in the definition of an AOS.¹
9 USWC and other LECs do not have a choice of whether to provide
10 operator service to a particular location or not. All other AOS
11 providers market their product to end users or call aggregators
12 as they choose and are currently not required by law to provide
13 service to all locations within the state.

14 The WUTC's inclusions of LECs in the definition of an AOS,
15 now places USWC in the position of being both an AOS and a Call
16 Aggregator since USWC provides connection to both intrastate
17 long distance and local services from call aggregator locations.
18 As the WUTC is aware, a LEC is pervasively regulated with
19 respect to the statutes and rules relating to its operation,
20 together with tariffs on file which prescribe the methods by
21 which it offers services to the public; and through such
22 regulation is required to provide or make available operator
23 services to any individual or entity who orders a phone line
24 from USWC. Current USWC tariff arrangements for operator
25 services adequately encompass the proposed rules and regulations
26 specific to USWC and other LECs and in fact apparently set the
27 market standard for "prevailing charges." See, Proposed WAC
28 480-120-141(10)(b). Therefore, it is not necessary to include
29 LECs in the specific requirements relating to an AOS.
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33 ¹See, Supplemental Comments of Pacific Northwest Bell
34 Telephone Company, d/b/a U S WEST Communications, Docket Nos.
UT-900726, UT-900733 (Filed Nov. 21, 1990)(attached hereto as
Exhibit A).

1 As previously highlighted, USWC's costs to provide its
2 services will increase if it is required to comply as an AOS
3 provider within the proposed rules.² The costs incurred due to
4 these additional requirements will need to be recovered through
5 the introduction of new rate elements or through a rate
6 restructure of existing elements currently designed to recover
7 the cost associated with such services. As previously stated in
8 USWC's Supplemental Comments, to the extent that USWC is in a
9 revenue sharing situation under its alternative form of
10 regulation, the costs associated with the implementation of
11 these new requirements will be borne not only by USWC, but by
12 the ratepayers in the state of Washington. There has been no
13 showing that the ratepayers in the state of Washington or their
14 elected representatives desire to have the public directly pay
15 for the application of AOS rules to USWC, without any finding
16 that there is a problem with how USWC and other LECs currently
17 provide operator services as part of their pervasively regulated
18 services. Therefore, the WUTC should exempt LECs from inclusion
19 in the AOS definition and continue to utilize the existing WUTC
20 process for regulation of LEC operator services in place.

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B. Proposed WAC 480-120-106 - Form of Bills

USWC recommends that the first full sentence of the second paragraph remain in its present form which allows a LEC to specify either the provider of the underlying service or its authorized billing agent on a bill. In addition, USWC has recently introduced a price list option that provides billing agents with the ability to identify the Call Handler. See, Exhibit B attached hereto.

USWC again objects to the requirement contained within the third full paragraph that places the LEC in a position responsible for the administration of records that identify a

²Id.

1 billing agent's clients and for the policing of a billing agent
2 and carrier compliance with WUTC rules and regulations.
3 Currently, USWC only receives a list of the billing agent's
4 carriers if the billing agent subscribes to Call Handler ID
5 service from USWC. It is the USWC position that the billing
6 agent is responsible for ensuring that their clients understand
7 their obligations for compliance with the WUTC registration
8 requirements. USWC does not currently investigate or police
9 carrier certification nor does it believe it appropriate for it
10 to do so.

11 USWC does include a provision within its billing and
12 collection contracts that supports the WUTC rules and
13 regulations which state that the billing agent shall be governed
14 in all dealings with end users by the highest standards of
15 honesty, integrity and fair dealings, including compliance with
16 all applicable laws, ordinances and regulations.³

17 USWC does not believe that it should interject itself in a
18 policing function. As stated previously, to place such
19 requirements on a LEC can put USWC in an untenable position.
20 First, USWC must ensure that in fact a violation of a rule has
21 occurred (often a heated dispute occurs regarding whether a
22 violation occurred with the WUTC Staff advising USWC that it has
23 and the third party adamantly denying that it has). Second,
24 USWC acts as peril in taking action which may at a later date be
25 found to be inappropriate. Finally, many companies contend that
26 their due process rights are violated to the extent that USWC is
27 forced to enforce compliance with the WUTC rules as compared to
28 the direct approach by the WUTC. Unlike when interacting with
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31 ³USWC will continue to request that the billing agent only
32 submit charges on behalf of properly registered companies as a
33 part of its contracts. In addition, USWC can provide the WUTC
34 with an annual list of each billing agent for which it provides
billing and collection service in order that the WUTC could
contact the billing agent for a current list of each
telecommunications company for which it bills as necessary.

1 USWC, when dealing with the WUTC, the AOS companies have the due
2 process production contained in the Washington Administrative
3 Procedure Act if they believe the WUTC has acted
4 inappropriately.

5 The foregoing concern is not insignificant. USWC has been
6 involved in situations where carriers located in remote
7 locations or providing interstate service contend that they are
8 not subject to the jurisdiction and/or rules of the WUTC. To
9 the extent that the WUTC contends the rules are effective, and
10 attempts to require the LEC to enforce them on its behalf, the
11 LEC is placed in a difficult position. When it complies with
12 the desires of the WUTC, it may subject itself to litigation,
13 including potential large damages in the event that the carrier
14 prevails in its argument that the WUTC does not have authority
15 to regulate its services. If the LEC concludes that the carrier
16 has the better side of the argument and it is correct that the
17 WUTC does not have jurisdiction over its services, then it is
18 possible the WUTC will enforce its sanctions directly against
19 the LEC. A LEC should not be placed in this "catch 22"
20 position. As in the past, USWC will continue to provide support
21 to the WUTC when a complaint is filed relating to a tariff or
22 rule violation.

23 USWC respectfully submits that the LEC list administration
24 of certified carriers requirement be struck from these proposed
25 rules. This requirement would create additional cost burdens
26 associated with resource allocation necessary for policing,
27 recording and maintenance of billing agent lists and carrier
28 certification. No concern has been identified by any LEC
29 ratepayers requiring this list administration or has there been
30 any indication that the ratepayers are willing to pay for such a
31 process. USWC believes the WUTC has within its power the
32 ability to police entities which do not register or fail to
33 comply with its rules.

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1 C. Proposed WAC 480-120-138 - Pay Telephone/Local and
2 Intrastate

3 1. General

4 It has been a recognized and accepted practice for inmate
5 service that pay telephones are not necessarily connected to
6 public access lines in accordance with rules provided in the
7 Washington Administrative Code or approved tariffs. These
8 variations from pay telephone rules for inmate service have been
9 necessary, in this unique environment, to minimize the potential
10 fraudulent billing or harassing telephone calls by inmates to
11 legislators, judges, witnesses, or other persons outside the
12 facility. Therefore, USWC has filed a petition for waiver of
13 pertinent rules in the Washington Administrative Code to make
14 exception for inmate service. Such a waiver would allow USWC to
15 provide coinless service at inmate facilities without meeting
16 certain conditions set forth in WAC 480-120-138 that are
17 inappropriate in an inmate setting. See, In the Matter of the
18 Petition of U S WEST Communications, Inc. for Waiver of
19 Administrative Rules, Docket No. UT-910193 (Filed Feb. 20,
20 1991) (attached hereto as Exhibit C).

21 USWC suggests that the WUTC pay telephone rules should
22 directly include an exemption of certain requirements that are
23 not reasonable for inmate service. Such an exemption will
24 eliminate the need for the WUTC to process multiple LEC waivers
25 specific to inmate pay telephone service. Such an exemption
26 might read:

27 Payphone services provided to the inmates of
28 state or local penal or correctional
29 facilities or jails are exempt from
30 compliance with the provision of any rule
31 inconsistent with RCW 9.73.095 or an
32 equivalent ordinance, and are exempt from
33 WAC 480-120-138(2), (3), (4), (5), (6),
34 (6b), (7), (10) and (13).

33 This addition should be added to the first paragraph in Section
34 480-120-138.

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2. Subparagraph 4

This paragraph introduces a per call charge for use of a pay telephone for a collect local call ("sent-paid access"), 1-800 and interexchange carrier service. USWC supports such a charge but does not support that the charge be capped or determined as part of a rulemaking proceeding. The appropriate rate for such a change should be determined as part of a tariff structure proceeding which would allow for the appropriate review of a rate as well as rate adjustments as necessary, all of which would be subject to WUTC consideration.

3. Subparagraph 10

This paragraph requires the LEC to provide blocking of 10XXX1+ calls at the request of the subscriber, where technically feasible. USWC cannot currently technically block 10XXX1+ codes while allowing 1+ or 1-800 calls to proceed. USWC is presently working with central office switch manufacturers to develop this feature but cannot commit as to when or at what cost such a feature will be available to USWC. USWC does not object to inclusion of this language within the rule as long as such a condition is limited to an obligation of the LEC to restrict access to only 10XXX1+ codes when and where it is technically and economically feasible.⁴

4. Subparagraph 11

This paragraph requires that all pay telephones provide two-way service. USWC objects to this requirement for the following reasons: elimination of one-way service may reduce the availability of pay telephones in areas that are critical to the safety needs of the general public; many one-way pay telephones are in higher crime areas and are important to public safety; and generally space providers request one-way service in these areas to deter loitering. While USWC recognizes the exception of placement of one-way pay telephones at the

⁴USWC will not restrict access to 10xxx1 + codes if such a restriction also denies access to 1+, 1-8-- or other like codes.

1 direction of law enforcement agencies, these agencies are
2 generally reluctant to request outgoing service only because
3 there is no proof of illicit activity being originated from the
4 station. USWC requests that one-way service continue to be an
5 option available to space providers. Space providers should be
6 permitted to specify their pay telephone requirements when such
7 a telephone is located within their business. Incoming service
8 to these locations should be controlled at the customers'
9 discretion.

10 5. Subparagraph 18

11 This paragraph requires that the LEC police subscribers for
12 compliance with rules and tariffs. As stated previously, the
13 WUTC should regulate AOS providers directly and not through
14 USWC. See, Comments at II.B., supra. The rule should simply
15 state pay telephone requirements and the WUTC should enforce any
16 noncompliance. To the extent the WUTC attempts to use USWC as
17 its enforcement arm, USWC states that the rules should be
18 specifically drafted to allow the LEC to cover the costs of any
19 field visits if a complaint is received by a LEC that an AOS is
20 violating the WUTC's rules.

21
22 D. Proposed WAC 480-120-141 - Alternate Operator Services

23 1. General

24 As stated in USWC's introductory comments, USWC assumes it
25 is now included in the revised definition of an AOS and in that
26 regard makes the following comments.

27 As previously stated, USWC objects to rules that establish
28 prices or price caps as part of a rulemaking proceeding.⁵ Such
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30
31 ⁵An example of a consideration that would be addressed
32 within a tariff price setting proceeding is the unique
33 requirements of inmate services that are over and above the
34 typical provision of operator service, such as a higher
incidence of fraud which generates additional cost components
that must be included in a cost study specific to inmate
services.

1 prices should be established as part of a tariff subject to WUTC
2 review. Establishment of a price cap for providers of inmate
3 services to correctional institutions within a rulemaking
4 proceeding does not encompass a number of considerations that
5 should be addressed and would be considered as part of the
6 tariff filing process.

7 2. Subparagraph 1

8 It is inappropriate for LECs to submit a list of customers
9 for which it provides operator services to the WUTC every six
10 months since all LECs are required to provide such service to
11 all customers within their serving territory. Therefore,
12 subparagraph (1) should contain an exemption for LECs.

13 3. Subparagraph 2

14 Subparagraph (2) should also contain an exemption for LECs.
15 USWC and other LEC operator service requirements are already
16 addressed in other WUTC rules and the tariffs of the LEC. In
17 addition, USWC objects to any compliance policing requirements
18 placed on the LEC for services provided by alternate service
19 providers. USWC has no objection to include language in its
20 tariffs that addresses service requirement expectations of call
21 aggregators. However, investigation and enforcement of
22 compliance violations should not be the responsibility of USWC.

23 4. Subparagraph 4(a)(i) and (ii):

24 USWC objects to the statement that suggests that the
25 standard of prevailing pay telephone rates be based on the rates
26 of USWC or AT&T. Such a statement may restrict the operation of
27 the market and limit the ability of an AOS, including USWC, to
28 set their rates based upon market conditions.

29 USWC also objects to the additional language which requires
30 a pay telephone owner to post a notice on the pay telephone when
31 the presubscribed carrier charges are higher than AT&T's or
32 USWC's. USWC does not monitor rates of interLATA carriers and
33 should not be required to do so. This requirement would force
34 USWC and other LECs to monitor such rates in order to determine

1 if such a notice needed to be posted; this would create a
2 tremendous additional cost burden not included in cost study
3 data at this time.

4 End user preferred carrier calling instructions are
5 generally posted on the associated carriers calling cards.
6 Therefore, the posting of instructions as to how a consumer can
7 reach their preferred carrier should not be necessary as long as
8 each AOS is required to advise consumers how to access their
9 preferred carrier. For example, USWC currently advises
10 customers how to connect with a carrier of choice free of charge
11 from a USWC pay telephone. USWC recommends Section (4)(a) be
12 amended to apply only language contained in the federal
13 legislation. 47 U.S.C. § 226(c)(1).

14 5. Subparagraph 4(b)(iii)

15 This paragraph implies instructions for reaching a carrier
16 will be posted on the pay telephone. This would pose an
17 administrative nightmare due to the large number of carriers.
18 USWC suggests alternative language advising the customer to
19 contact their carrier for directions on how to access their
20 carriers.⁶

21 6. Subparagraph 5

22 USWC suggests this subparagraph relating to branding, be
23 modified to have branding occur before the prompt for billing
24 information because customers are conditioned to enter billing
25 information as soon as they hear a prompt. Thus, they would
26 override the brand and make unintelligible a second brand before
27 the call is connected. USWC objects to specific branding
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31 ⁶USWC is concerned about the space availability on pay
32 telephones. If instructions were included for all carriers, the
33 user would need to scan the set just to find pertinent
34 information specific to their call. Such information would
likely get lost amongst all the dialing directions of multiple
carriers. Also, such posting would need to be updated on a
regular basis. This would be extremely costly.

1 language. Companies should be allowed to brand in the most
2 economical, clear manner possible.

3 7. Subparagraph 5(e)

4 USWC suggests rewording Subparagraph (5)(e), which
5 discusses adequate facilities. USWC proposes language that
6 states service should be at the B.01 level of blocking for time
7 consistent busy hour over twenty consecutive business days.⁷

8 8. Subparagraph 10

9 This Subparagraph refers to "Public Convenience and
10 Advantage." See, Comments, supra at II.D.4, (relating to one
11 carrier's rates establishing the level for that of another).
12 The same argument applies to setting service standards for
13 another carrier by comparison to USWC or AT&T. Such comparisons
14 are inappropriate.

15
16 III. CONCLUSION

17 Based upon the foregoing, USWC respectfully requests that
18 the WUTC carefully consider its comments related to the AOS
19 rules and revise its proposed rules in accordance with these
20 comments.

21 DATED this 6th day of March, 1991.

22
23 
24 _____
25 EDWARD T. SHAW
26 MARK ROELLIG, Of Attorneys for
27 U S WEST Communications, Inc.

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33 ⁷This is the current engineering standard by which USWC
34 operates. More stringent requirements proposed would impose
much higher costs that could not be recovered. This rule should
follow accepted engineering practices and queueing theory.

EXHIBIT A

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Amending)	DOCKET NO. UT-900726
the Commission's)	UT-900733
Telecommunications Rules)	
Relating to Telecommunications))	SUPPLEMENTAL COMMENTS OF
Glossary, Alternative)	PACIFIC NORTHWEST BELL
Operative Services, Pay)	TELEPHONE COMPANY, d/b/a
Telephones and Form of Bills)	U S WEST COMMUNICATIONS

I. INTRODUCTION

COMES NOW Pacific Northwest Bell Telephone Company, d/b/a U S WEST Communications (hereinafter "USWC"), and pursuant to RCW 34.05.325 submits its supplemental comments to the proposal of the Washington Utilities and Transportation Commission (hereinafter "WUTC") to amend its rules relating to telecommunications glossary, alternative operator services, pay telephones and form of bills.

On or about October 19, 1990, USWC filed its initial comments relating to the proposed rules of the WUTC. Since that time, several industry meetings have taken place with the WUTC Staff to informally discuss comments submitted by interested parties to the proposed rule changes. In these meetings, one of the issues that has arisen is whether a local exchange company (hereinafter "LEC") should be defined to be an alternative operator service company (hereinafter "AOS"). As stated in USWC's initial comments, USWC supports the current proposed rule which exempts LECs from the definition of an AOS. In the event that the draft rules are substantially changed to include a LEC

EXHIBIT A

1 in the definition of an AOS provider, USWC will have extensive
2 comments relating to the specific technical difficulties it
3 would have in complying with the proposed rules. See, RCW
4 34.05.340(2)(a) (requiring supplemental notice if proposed rule
5 changes affect one's interest).

6 II. SUPPLEMENTAL COMMENTS

7 It is USWC's position that as a policy matter, a LEC should
8 not be included as an AOS. The current glossary section to the
9 Washington Administrative Code relating to an AOS defines them
10 as:

11 Alternative operator services company - any
12 corporation, company, partnership, or person
13 providing a connection to intrastate or
14 interstate long-distance or to local
15 services from places including but not
16 limited to, hotels, motels, hospitals,
17 campuses, and customer-owned pay telephones.
18 Alternative operator services companies are
19 those with which a hotel, motel, hospital,
20 campus, or customer-owned pay telephone,
21 etc., contracts to provide operator services
22 to its clientele.

23 WAC 480-120-021.

24 Under the foregoing definition, an LEC, which provides its
25 service under tariff, is not deemed to be an AOS. In fact, the
26 very term alternative operator service recognizes that the
27 operator service is alternative to the existing LEC operator
28 service.

29 In 1990, the Washington legislature amended RCW 80.36.350
30 and 80.36.530 to require among other things the registration of
31 AOS companies and to allow for the adoption of rules for minimum
32 standards for "providing alternative operator services." 1990
33 Wash. Laws, Chapter 247 § 3 (emphasis added).¹ If the
34 Washington legislature desired the WUTC to adopt rules to set

¹The legislation allows the WUTC to create rules for
"providing alternative operator services." It does not require
that these rules apply to all that may fall within the
definition of an AOS in RCW 80.36.50.

1 the minimum standard for all operator services, it would have so
2 stated.

3 In authorizing rules to set the minimum service levels for
4 alternative operator services, the legislature recognized that
5 the operator services provided by LECs do not present consumer
6 protection issues that need to be addressed by legislation or
7 new rules.

8 In the state of Washington LECs are pervasively regulated
9 by the WUTC. USWC's tariffs, and in particular those related to
10 operator services, are closely reviewed before taking effect.
11 In fact, the WUTC apparently accepts that its careful review of
12 the WUTC's operator services rates allow them to be the standard
13 for the AOS industry. See, proposed rule at WAC 480-120-
14 141(10). Therefore, like the legislature, the WUTC recognizes
15 that the current regulation of USWC's operator services is
16 adequate and sets the standard for "prevailing rates." Id.

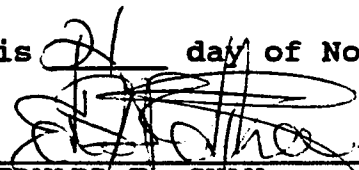
17 In the event that the proposed AOS rules are extended to
18 include services provided by an LEC, USWC will incur additional
19 costs in order to come into compliance with such rules. These
20 costs would include those necessary to comply with the specific
21 requirements set forth in the proposed AOS rule. To the extent
22 that USWC is in a revenue sharing situation, under its
23 alternative form of regulation, the costs of these new
24 restrictions will be borne not only by USWC but by the rate
25 payers within the state of Washington. There has been no
26 showing that the ratepayers in the state of Washington or their
27 elected representatives desire to have the public directly pay
28 for the application of AOS rules to USWC, without any finding
29 that there is a problem with how USWC and the other LECs
30 currently provide operator services as part of their pervasively
31 regulated services. Therefore, the WUTC should decline to do
32 so.

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III. CONCLUSION

Based upon the foregoing, USWC respectfully requests that to the extent that the WUTC revises its proposed AOS rules, it maintain the provision of the rule that exempts USWC from its application.

RESPECTFULLY SUBMITTED this 21 day of November, 1990.



EDWARD T. SHAW
MARK ROELLIG, Of Attorneys for
U S WEST Communications

CERTIFICATE OF SERVICE
COUNSEL OF RECORD
File No. UT-900726
UT-900733

I hereby certify that I have this day caused to be served one copy of the foregoing document upon the following parties of record by person or by mailing a copy thereof, properly addressed with postage prepaid:

Charles Adams
Assistant Attorney General
900 Fourth Avenue #2000
Seattle, WA 98164

Donald Trotter
Assistant Attorney General
Washington Utilities and
Transportation Commission
Chandler Plaza Building
1400 Evergreen Park Drive S.W.
Olympia, WA 98504

DATED this 21st day of November, 1990.



LEE ANNETTE FORTIER

EXHIBIT B

1st Revision of Sheet 4-5
Cancelling
Original Sheet 4-5

SECTION 4
BILLING AND COLLECTION SERVICES

II. SERVICE DESCRIPTION

A. Message Based Billing Service

Message Based Billing Services include message rating, message rating with and without message detail, bill processing, inquiry, message-based bill rendering, and Call Handler Identification. These services provide the customer with methods to properly rate their messages according to their rate schedules as well as provide the customer a way to notify their end users of payments due and to collect their monies. This service also provides the customer with a method to answer their end user billing questions and to resolve end user billing disputes without incurring the expense of a labor intensive department. (C)
(C)

The Company will provide Message Based Billing Service on the condition that it purchase the accounts receivable or agrees to act as a billing agent for the customer.

This service is offered one of two ways at the customer's option. The first option is the service on the minimum contract period basis with no guarantee of volumes. The second option is the Minimum Volume Percentage Guarantee Option. *

Customized billing charges will be determined on an individual case basis.

1. Application of Rates:

- a. Message Rating and Bill Processing charges apply on a per message basis.

* Effective January 1, 1991, new Minimum Volume Percentage Guarantee Option contracts are no longer available, and existing contracts cannot be extended.

1st Revision of Sheet 4-6
Cancelling
Original Sheet 4-6

SECTION 4
BILLING AND COLLECTION SERVICES

II. SERVICE DESCRIPTION

A. Message Based Billing Service

1. Application of Rates: - (Cont'd)

- b. Non-Standard Data Entry charges apply on an individual case basis. If the customer provides the Company messages in EMI format this charge does not apply.
- c. Message Based Bill Rendering may be provided if the customer purchases Bill Processing. The Message Based Bill Rendering charge is applied on a per bill basis.
- d. Call Handler Identification allows for the name of the call handler to appear on the clearing agent end user bill, with traffic separated per call handler by line number. Call handlers are clients of clearing agents who are under Billing and Collection agreements with USWC and who collectively bill for their clients under that agreement. Each clearing agent will assign an entity code (up to three digits) for each of their call handlers. The call detail will be printed on the end user bill page in entity code numerical sequence. (N)
- e. When rated message detail is data-transmitted to or received from an exchange telephone company or a customer location a charge for the transmission, in addition to the charge for the record, will apply. (T)
- f. When rated message detail is entered on magnetic tape to be provided to a customer, the per tape charge will apply for each tape and the per message charge applies for each message processed. (T)
- g. Inquiry charges apply per Bill Processing Message. (T)

(K)

* Effective January 1, 1991, new Minimum Volume Percentage Guarantee Option contracts are no longer available, and existing contracts cannot be extended.

(K) Material omitted now appears on Sheet 4-7.

PRICE LIST
 U S WEST COMMUNICATIONS, INC.
 WASHINGTON

1st Revision of Sheet 4-12
 Cancelling
 Original Sheet 4-12

SECTION 4
 BILLING AND COLLECTION SERVICES

II. SERVICE DESCRIPTION

A. Message Based Billing Service

2. Rates and Charges - (Cont'd)

	<u>UNIT</u>	<u>PRICE PER UNIT</u>	<u>USOC</u>
d. Message Based Inquiry			
- Per Message			
- Presubscription	message	\$.0200	INQ11
- Other	message	.0350	INQ12

NOTE: Five year contracts are no longer available. Five year contract terms and prices on existing contracts are good until contract expiration. Effective October 1, 1989, three year contracts are no longer offered to new customers and existing contracts cannot be extended.

e. Message Based Bill Rendering

(1) Bill Production

(a) MTS	bill	\$.3200	MBBM1
- three/five year contract	bill	.2500	MBBM2
(b) Bulk	bill	.6000	MMBB1
- three/five year contract	bill	.5000	MMBB2

(2) Data Base Maintenance * bill .1000 DBMBR

* Data Base Maintenance applies to all bills rendered along with the Bill Production Charge unless purchased under account maintenance as offered in Ancillary Services.

f. Call Handler Identification ** per (N)
 Table Update Charge occurrence 59.00 |

** Plus set up charge of \$3,950 (N)

EXHIBIT C

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition) DOCKET NO.
of U S WEST Communications,)
Inc. for Waiver of)
Administrative Rules)

COMES NOW the petitioner, U S WEST Communications, Inc. (hereinafter "USWC"), and for petition to the Washington Utilities and Transportation Commission (hereinafter "WUTC") for waiver of administrative rules states as follows:

1. Petitioner, USWC, is located at 1600 Bell Plaza, Seattle, Washington 98191.

2. Pursuant to WAC 480-120-011, USWC requests a waiver of the following rules in Washington Administrative Code (hereinafter "WAC") regarding the provision of operator and payphone services:

WAC 480-120-137 (2): The caller will be able to access the operator and 911 where available without the use of a coin.

WAC 480-120-138 (3): The caller must be able to access the operator and 911 where available without the use of a coin.

WAC 480-120-138 (5): Emergency numbers (e.g., operator assistance and 911) must be clearly posted on each pay telephone.

WAC 480-120-138 (6): Information consisting of the name, address and telephone number of the owner, or the name of the owner and a toll-free telephone number where a caller can obtain assistance in the event the pay

EXHIBIT C

1 telephone malfunctions in any way, and
2 procedures for obtaining a refund from the
3 subscriber, must be displayed on the front
4 of the pay telephone. . .

5 WAC 480-120-138(7): The telephone number of
6 the pay telephone must be displayed on each
7 instrument.

8 WAC 480-120-138 (10): All pay telephones
9 must be capable of providing access to all
10 interexchange carriers where such access is
11 available. . .

12 WAC 480-120-138 (11): Except for service
13 provided to hospitals, libraries, or similar
14 public facilities in which a telephone ring
15 might cause undue disturbance, or upon
16 written request of a law enforcement agency,
17 coin-operated pay telephones must provide
18 two-way service, and there shall be no
19 charge imposed by the subscriber for
20 incoming calls. This subsection will not
21 apply to pay telephones arranged for one-
22 way service and in service on May 1, 1990.
23 Should an existing one-way service be
24 disconnected, change telephone number, or
25 change financial responsibility, the
26 requirements of this subsection shall apply.
27 All pay telephones confined to one-way
28 service shall be clearly marked on the front
29 of the instrument.

30 WAC 480-120-141 (1) (a): An alternate
31 operator services company shall require, as
32 part of the contract with its customer, that
33 the customer:

34 Post on the telephone instrument in plain
view of anyone using the telephone, in eight
point Stymie Bold type, the following
notice:

SERVICES ON THIS INSTRUMENT MAY BE
PROVIDED AT RATES THAT ARE HIGHER
THAN NORMAL. YOU HAVE THE RIGHT
TO CONTACT THE OPERATOR FOR
INFORMATION REGARDING CHARGES
BEFORE PLACING YOUR CALL.
INSTRUCTIONS FOR DIALING THROUGH

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THE LOCAL TELEPHONE COMPANY ARE
ALSO AVAILABLE FROM THE OPERATOR.

WAC 480-120-141 (1) (b) (ii) and (iii):
Post and maintain in legible condition on or
near the telephone:

Dialing directions so that a consumer may
reach the AOS operator so as to receive
specific rate information; and

Dialing directions to allow the consumer to
dial through the local telephone company and
to make it clear that the consumer has
access to the other providers.

WAC 480-120-141 (4): For purposes of
emergency calls, every alternate operator
services company shall have the following
capabilities . . .

3. As part of the provision of service as a local
exchange telecommunications company, USWC provides services to
the limited and unique customer base of inmates in correctional
and mental facilities (hereinafter "Institutions"). Due to the
limited customer base and the nature of the facilities it
serves, many of the operator and payphone service rules set
forth in the WUTC rules are inappropriate for USWC's inmate
service application.

USWC currently provides live operator services and
could possibly at some future date provide automated operator
services as well to Institutions. In either case, USWC limits
these services to collect calling only. This telecommunications
service provides the Institutions with the type of calling
control they require in the most economical way possible.
Institutions which select a collect only system specifically
desire to discourage fraud and, therefore, only called parties
who desire to accept the charges are billed. Rates charged by
USWC to the called party are billed at the tariff rate.

Call screening and blocking is essential for an
Institution to maximize the degree of control over the

1 telecommunications service and help to minimize fraud.
2 Screening and blocking services can be used to eliminate
3 harassing, threatening or prank telephone calls to judges,
4 sheriffs, witnesses, jury members, emergency agencies (including
5 "911") or other sensitive parties. They also allow the
6 Institutions to enforce telephone curfews without manual
7 intervention.

8 Notices or stickers are not provided on the telephone sets
9 of Institutions. USWC's experience at Institutions is that due
10 to vandalism this is an unreliable way of posting information.
11 Therefore, oral branding is used to identify the carrier to the
12 caller and the called party accepting the charges. In addition,
13 since the rates charged by USWC are those currently under tariff
14 with the WUTC, notice that USWC's service may be provided "at
15 rates that are higher than normal" is unnecessary. Such posting
16 is also unnecessary since the inmates are not able to route toll
17 calls to carriers other than the presubscribed carrier.

18 USWC provides Institutions' management with all the
19 information necessary to report service troubles, make inquiries
20 regarding service or rate requests. This information is not
21 generally available to the inmate population. A specifically
22 defined line of contact increases an institutions' control over
23 the telecommunications system and reduces the number of
24 fraudulent complaints or harassing calls to customer service
25 personnel.

26 4. Following is a listing of the particular
27 administrative code sections for which a waiver is requested and
28 the reason:

29 WAC 480-120-137 (2): USWC service does
30 provide access to live operators but blocks
31 access to 911 from institutions for the
32 reasons stated above.

33 WAC 480-120-138 (3): USWC service will
34 provide access to live operators but blocks

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access to 911 from correctional institutions for the reason stated above.

WAC 480-120-138 (5): Such notice is inappropriate since emergency 911 calling is not provided from USWC's system.

WAC 480-120-138 (6): Service assistance may be requested and equipment malfunctions may be reported by inmates to the institution management. The institution's management personnel has complete information to contact USWC whenever assistance is needed. Refunds to inmates are not required since inmate service provides collect only calling.

WAC 480-120-138(7): The telephone number of the pay telephone must be displayed on each instrument.

WAC 480-120-138 (10): USWC does not provide access to other interexchange carriers. Access to all interexchange carriers may introduce fraudulent calling in the Institution.

WAC 480-120-138 (11): USWC's service is outgoing collect only. Incoming calls are denied in order to prevent fraud as noted above.

WAC 480-120-141 (1) (a): This notice requirement is inappropriate for inmate service. The calls are placed on a collect only basis and the called parties have the right of refusal before billing begins. In addition, charges billed to the called parties upon acceptance of the call are subject to the tariff rates filed with the WUTC.

WAC 480-120-141 (1) (b) (ii) and (iii): This notice requirement is inappropriate due to the unique nature of USWC's service at Institutions.

WAC 480-120-141 (4): USWC does not provide emergency service to inmates of


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Institutions, therefore, these emergency call requirements are inappropriate.

5. The safeguards put in place through the WUTC's rules are intended for operator service and payphone providers serving the general public. The general public may benefit from having access to other carriers or services, being provided rate quotes and reviewing specific information posted on telephone sets. However, the needs of correctional, penal and mental institutions and the provision of telecommunications service to inmates of these Institutions varies tremendously from telecommunications services provided to the general public.

Based upon the foregoing reasons, USWC respectfully petitions for waiver of the WUTC's requirements as set forth in the following rules: WAC 480-120-137; WAC 480-120-138(3)(5)(6)(7)(10)(11); and WAC 480-120-41(1), (a)(1), (b)(ii) and (iii), (4).

DATED this 20th day of February, 1991.



MARK ROELLIG, of Attorneys
for U S WEST Communications, Inc.

CERTIFICATE OF SERVICE
COUNSEL OF RECORD
File No. UT-900726
UT-900733

I hereby certify that I have this day caused to be served ne copy of the foregoing document upon the following parties of record by person or by mailing a copy thereof, properly addressed with postage prepaid:

Charles Adams
Assistant Attorney General
900 Fourth Avenue #2000
Seattle, WA 98164

Donald Trotter
Assistant Attorney General
Washington Utilities and
Transportation Commission
Chandler Plaza Building
1400 Evergreen Park Drive S.W.
Olympia, WA 98504

DATED this 16th day of March, 1991.



LEE ANNETTE FORTIER