

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET UT-060723
)	
QWEST CORPORATION,)	ORDER 01
)	
Petitioner,)	
)	
In the Matter of Qwest’s Petition to)	
Modify the Requirements of Cause)	
U-85-23 and Docket UT-990976 to)	
Discontinue Qwest’s Designation as)	
the IntraLATA Designated Carrier for)	
Private Line Services for Three (3))	ORDER GRANTING
Certain Independent Companies)	PETITION
.....)	

BACKGROUND

- 1 On May 3, 2006, Qwest Corporation (Qwest or the Company) filed a petition requesting that the Commission modify the requirements of Cause No. U-85-23, et al., and Docket UT-990976, in order to discontinue Qwest’s designation as the IntraLATA designated carrier for Private Line Services for three independent incumbent local exchange telephone companies (ILECs). Implementation will begin no sooner than August 1, 2006.
- 2 Cause No. U-85-23, et al., (and by extension, Docket UT-990976), required that Qwest (fka U S WEST Communications, and prior to that Pacific Northwest Bell or “PNB”) be the designated carrier for Private Line Services for the independent ILECs in Washington State.
- 3 Qwest asks that it be relieved of this obligation for three independent ILECs referenced in its petition: CenturyTel of Washington, Inc., CenturyTel of Inter-Island, Inc., and CenturyTel of Cowiche, Inc. (collectively, “CenturyTel”). Upon relief of this obligation, customers will be transitioned to a multiple bill, multiple tariff (MBMT) billing mechanism where the customer receives a bill from each telecommunications company for the portion of the private line service provided by that carrier. Qwest has represented to the Commission that it will continue single billing (at Qwest rates for entire circuit) for contracts with State of Washington entities and other e-rate funded entities until the end of their fiscal year in June of 2007.

4 Qwest asserts that relief of this obligation is consistent with relief granted with respect to other ILECs in other proceedings; that MBMT billing more closely reflects the physical configuration of the private line facilities; and that since CenturyTel has begun providing its own intraLATA toll service, it should also assume responsibility for providing its own private line services, as other independent ILECs have done.

5 The Commission has relieved this obligation for Qwest in all other companies' service areas in Washington in Dockets UT-051218, UT-051726 and UT-051727.

FINDINGS AND CONCLUSIONS

6 (1) The Washington Utilities and Transportation Commission (Commission) is an agency of the State of Washington vested by statute with the authority to regulate rates, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040, Chapter 80.04 RCW, Chapter 80.36 RCW, Chapter 80.08 RCW and Chapter 80.12 RCW.*

7 (2) Qwest is engaged in the business of providing telecommunications services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of RCW 80.36.

8 (3) Qwest is subject to the provisions of the Commission's orders in Cause No. U 85-23, et al., and Docket UT-990976 with respect to IntraLATA private line services for CenturyTel.

9 (4) Qwest's petition is based on a fact pattern similar to previous Qwest petitions for relief of its designated carrier private line obligations to other Washington local exchange carriers.

10 (5) The Washington Utilities and Transportation Commission (Commission) has relieved Qwest of this obligation in all other companies' service areas in Washington in Dockets UT-051218, UT-051726 and UT-051727.

- 11 (6) The MBMT billing arrangement contemplated in Qwest's petition more closely reflects the physical configuration of the private line facilities jointly provided by Qwest and CenturyTel.
- 12 (7) Qwest has represented to the Commission that it will continue single billing (at Qwest rates for the entire circuit) for contracts with State of Washington entities and other e-rate funded entities until the end of their fiscal year in June of 2007.
- 13 (8) The obligation on Qwest to provide private line services in the CenturyTel exchange areas is an artifact of an earlier era when the regional Bell operating companies were required to provide interexchange services for smaller independent companies. It is no longer appropriate to require that Qwest provide these services, particularly since the arrangement causes Qwest to pay CenturyTel more than Qwest receives from the end use customer.
- 14 (9) Staff has reviewed the request in Docket UT-060723 and, based on Commission precedent, recommends that the petition by Qwest be granted.
- 15 (10) This matter was brought before the Commission at its regularly scheduled meeting on June 28, 2006.
- 16 (11) After review of the petition filed in Docket UT-060723 by Qwest on May 3, 2006, and giving due consideration to the fact situation presented and Commission precedent, the Commission finds that Qwest's petition is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 17 (1) Qwest Corporation is granted the opportunity to begin transitioning to the multiple bill multiple tariff (MBMT) environment in the areas served by CenturyTel of Washington, Inc., CenturyTel of Inter-Island, Inc., and CenturyTel of Cowiche, Inc. (collectively, "CenturyTel") with an implementation date no sooner than August 1, 2006.

- 18 (2) Qwest is required to continue single billing, at Qwest rates for the entire circuit, for contracts with State of Washington entities and other e-rate funded entities until the end of their fiscal year in June of 2007.
- 19 (3) The Commission retains jurisdiction over the subject matter and Qwest Corporation to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective June 28, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner