

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	DOCKET NO. UT-990043
	)	
Complainant,	)	
	)	
v.	)	COMMISSION ORDER
	)	ACCEPTING SETTLEMENT
QWEST CORPORATION	)	
	)	
Respondent.	)	
.....	)	

**SUMMARY**

- 1     **PROCEEDINGS:** The Washington Utilities and Transportation Commission, proceeding on its own motion, filed a Complaint on September 12, 2001. The Commission alleged in its Complaint that Qwest Corporations’s operating practices violated WAC 480-120-141.
  
- 2     **PARTIES:** Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represents Commission Staff (Staff). Theresa A. Jensen, Director of Washington Policy and Law, represents Qwest Corporation (Qwest).
  
- 3     **SETTLEMENT AGREEMENT:** On September 12, 2001, Staff and Qwest (the Parties) filed a Settlement Agreement to resolve all issues raised in the Complaint.
  
- 4     **COMMISSION:** The Commission accepts the Parties’ settlement as filed.

**MEMORANDUM**

- 5     On September 12, 2001, the Commission issued a Complaint alleging violations of WAC 480-120-141(2)(b). The Parties have reached agreement on the resolution of the issued raised by the Complaint and have voluntarily entered into the attached Settlement Agreement (Agreement). The Agreement reflects the Parties’ proposal to the Commission for resolution of all outstanding issues and constitutes a settlement agreement within the meaning of WAC 480-09-466.
  
- 6     In summary, the Agreement provides for the following actions to be taken by Qwest to resolve the outstanding Complaint:

- Qwest agrees to full compliance with the Commission’s verbal disclosure rules.
- Qwest agrees to change its voice message for automated operator services so that it informs consumers to receive a rate quote by pressing no more than two keys and then asking for a rate quote from the operator.
- Qwest agrees to pay \$30,000 for rule violations.
- Qwest agrees to suspend, for six months, an additional amount of \$10,300 dependent upon no evidence of similar violations of Commission rule.

7 The Commission finds that the Settlement Agreement fairly and equitably resolves all of the issues raised by the Complaint and is therefore in the public interest.

**FINDINGS OF FACT**

8 The Washington Utilities and Transportation Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, practices, accounts, and other matters pertinent to the operation of public service companies, including telecommunications companies.

9 Qwest Corporation engages in the business of providing operator services within Washington state as a telecommunications company.

10 On September 12, 2001, the Commission issued a Complaint in which it alleged that Qwest Corporation had violated a Commission rule.

11 On September 12, 2001, Staff and Qwest Corporation filed a Settlement Agreement to resolve all violations to date, which are known to Staff, of the rules cited in the Commission’s Complaint.

**CONCLUSIONS OF LAW**

12 The Washington Utilities and Transportation Commission has jurisdiction over the subject matter and the parties. Chapters 80.04 and 80.36 RCW.

13 Qwest Corporation violated WAC 480-120-141(2)(b).

14 The Settlement Agreement, which is attached to this Order as Appendix A, is consistent with the public interest.

15 The settlement fully and fairly resolves the issues pending in Docket No. UT-990401 and is in the public interest. The terms of the Settlement Agreement should be approved and adopted as set out therein.

16 The Commission retains jurisdiction to effectuate the provisions of this order.

**ORDER**

17 THE COMMISSION ORDERS That the terms of the Settlement Agreement, as signed by representatives for the Parties, are hereby approved and adopted by the Commission.

DATED at Olympia, Washington, and effective this        day of September 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner