

**UT-111634 Rulemaking**  
**Staff responses to CR-101 comments**  
**November 30, 2011**

	Section	Commenter	Comments	Staff Response
	General Comments	C.J. Adams-Collier on behalf of <i>Collier Technologies LLC</i>	Collier Technologies LLC requests that filing fees be accepted in the form of volunteer service to public agencies such as the Washington State Guard or the Washington State Military Department's telecommunications division.	The statute does not appear to allow for this.
	General Comments	Art Butler on behalf of Level 3 Communications and Global Crossing Local Services, Inc.	Level 3 and Global Crossing request that the full cost of arbitration be split equally between the parties to the negotiation that gave rise to the arbitration.	This appears to answer the CR-101 question #2.
	General Comments	Cindy Manheim and David Collier on behalf of <i>AT&amp;T Communications of the Pacific Northwest, Inc., New Cingular Wireless PCS, LLC, and TCG Seattle</i> (collectively "AT&T")	<p>AT&amp;T believes that any fee established by the Commission should adhere to the four basic principles outlined below.</p> <ul style="list-style-type: none"> <li>• First, the fee should be reasonable.</li> <li>• Second, the fee should be a flat rate "filing" fee.</li> <li>• Third, the fee should only be assessed on those companies that are not already paying the fee on regulated services.</li> <li>• Fourth, there should be a graduated filing fee system, such that items which generally take less of staff's time should have a lower filing fee and those items which generally take more of staff's time should have a higher filing fee.</li> </ul>	This appears to answer the CR-101 question #6.

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	<b>Section</b>	<b>Commenter</b>	<b>Comments</b>	<b>Staff Response</b>
	General Comments	Betty S. Buckley on behalf of the <i>Washington Independent Telecommunications Association</i> (“WITA”)	<p>WITA supports the concept of establishing filing fees for those companies that are currently paying “<u>no</u>” regulatory fees.</p> <p>WITA has some concern about the concept that those companies that already pay “minimal” regulatory fees would be subject to the filing fees.</p> <p>WITA does not support a filing fee for the annual ETC recertification process; or for fully negotiated interconnection agreements, amendments to interconnection agreements, or adoption of existing interconnection agreements.</p> <p>WITA supports filing fees (<i>only for those entities that do not already pay full regulatory fees</i>) for initial designation of ETC status; and for simple and complex interconnection arbitrations.</p>	<p>This appears to answer the CR-101 question #6.</p> <p>This appears to answer the CR-101 question #6.</p> <p>This appears to answer the CR-101 question #3. This appears to answer the CR-101 question #7.</p> <p>This appears to answer the CR-101 question #8. This appears to answer the CR-101 question #1.</p>

Open Questions for Comment:

See page 2 of the Commission's,  
"Notice of Opportunity to File Written Comments."

These specific questions will be discussed further  
at the Workshop on November 30, 2011.

The Commission requests that interested persons provide written comments addressing specifically:

1. Should there be a split charge for simple arbitrations versus complex arbitrations?
2. Should the petitioning party for arbitration bear the full cost of an arbitration fee, or should it be split between the parties in some fashion?
3. Should there be a separate charge for reviewing and approving ICA amendments?
4. Should there be a charge for enforcement of certain provisions in an existing ICA?
5. Should there be a charge for processing a fully adopted ICA?
6. How would charges be applied to entities that already pay regulatory fees versus those entities that don't pay such fees?
7. Should there be a charge for the annual recertification of ETC designation?
8. Should there be separate charges ETC designations for high cost companies versus lifeline designations?
9. Under federal law states are authorized, but not required, to conduct arbitrations and designate ETCs to the extent allowed by state law. Absent application of fees for conducting such activities prospectively, should the Commission consider deferring all arbitration and ETC requests to the Federal Communications Commission for resolution as is done by some other states currently?