

AMENDATORY SECTION (Amending Order R-464, filed 6/15/99, effective 7/16/99)

WAC 480-121-020 Requirements for applications for registration ((~~applications~~)), ((~~competitive classification~~)) petitions for competitive classification, and initial price lists. (1) Applications for registration ((~~must:~~

(a) ~~Be in the form prescribed by the commission;~~
(b) ~~Comply with the rules set forth in chapter 480-120 WAC; and~~
(c) ~~Be accompanied by the applicant's current balance sheet, latest annual report, if any, and a description of the telecommunications service it intends to offer)) and petitions for competitive classification must be in the form prescribed by the commission.~~

(2) ((~~Petitions for competitive classification must meet the requirements of WAC 480-120-023~~)) Applications for registration:

(a) Must be filed with a petition for competitive classification and an initial price list;

(b) Must comply with the rules set forth in chapters 480-80 and 480-120 WAC;

(c) Must be filed at the office of the commission in Olympia, Washington; and

(d) Will be assigned a docket number. All documents subsequently filed in the matter must bear that docket number.

(3) ((~~Price lists must meet the requirements of WAC 480-120-027.~~)) The commission may require, with or without hearing, that an applicant for registration clearly show:

(a) Adequate financial resources to provide the proposed service;

(b) Adequate technical competence to provide the proposed service; and

(c) Compliance with all applicable federal, state, and local telecommunications technical and business regulations.

(4) ((~~As a condition to registration, with or without hearing,~~)) The commission may ((require)) request that an applicant ((clearly show that:

(a) ~~The applicant possesses adequate financial resources to provide the proposed service;~~

(b) ~~The applicant possesses adequate technical competence to provide the proposed service;~~

(c) ~~The applicant is in compliance with all applicable federal, state and local telecommunications technical and business regulations.~~

(5) ~~The commission may request an applicant to provide information regarding the applicant's regulatory performance in other states in which it operates.~~

(6) ~~Applicants intending to collect customer prepayments must meet the requirements of WAC 480-120-058.~~

(7) ~~Applicants collecting customer deposits pursuant to WAC 480-120-056 may be required to procure a bond or establish a federally insured interest-bearing trust account)) provide information regarding the applicant's regulatory performance in other states where it operates.~~

AMENDATORY SECTION (Amending Docket No. U-991301, General Order No. R-481, filed 4/4/01, effective 5/5/01)

WAC 480-121-063 (~~(Waiver of)~~) Regulatory requirements that may be waived for (~~(competitive)~~) competitively classified telecommunications companies.

(1) The commission may waive (~~(in writing)~~) regulatory requirements for (~~(competitive)~~) telecommunications companies that it has classified as competitive if it (~~(is determined)~~) determines that competition with the regulatory waiver will serve the same purposes as public interest regulation.

~~(2) (~~(Any telecommunications company seeking competitive classification shall include as part of its petition for classification any requests for waivers of regulatory requirements. Requests for waiver not included in a classification petition shall be granted or denied in writing. The commission reserves the right to set any such request for hearing at its discretion. Any request for waiver of regulatory requirements must include a statement as to how competition will serve the same purposes as public interest regulation.~~)~~

~~(3))~~ By order, the commission may revoke waivers of regulatory requirements (~~(in the same manner in which they were granted)~~) if (~~(such)~~) it determines that revocation (~~(would)~~) is necessary to protect the public interest.

(3) Unless otherwise determined by commission order, the following regulatory requirements are waived for competitively classified companies:

(a) RCW 80.04.300 (Budgets to be filed by companies--Supplementary budgets);

(b) RCW 80.04.310 (Commission's control over expenditures);

(c) RCW 80.04.320 (Budget rules);

(d) RCW 80.04.330 (Effect of unauthorized expenditure--Emergencies);

(e) RCW 80.04.360 (Earnings in excess of reasonable rate--Consideration in fixing rates);

(f) RCW 80.04.460 (Investigation of accidents);

(g) RCW 80.04.520 (Approval of lease of utility facilities);

(h) RCW 80.36.100 (Tariff schedules to be filed and open to public);

(i) RCW 80.36.110 (Tariff changes--Statutory notice--Exception);

(j) Chapter 80.08 RCW (Securities) (except RCW 80.08.140, State not obligated);

(k) Chapter 80.12 RCW (Transfers of property);

(l) Chapter 80.16 RCW (Affiliated interests);

(m) WAC 480-80-101 (Tariff requirements) through WAC 480-80-143 (Special contracts for gas, electric, and water companies);

(n) Chapter 480-140 WAC (Commission general--Budgets);

(o) Chapter 480-143 WAC (Commission general--Transfers of property);

(p) Chapter 480-146 WAC (Commission general--Securities, liens, affiliated interests, refunding of notes, lease of utility facilities);

(q) WAC 480-120-031 (Accounting);

(r) WAC 480-120-032 (Expenditures for political or legislative activities);

(s) WAC 480-120-043 (Notice to the public of tariff changes);

(t) WAC 480-120-046 (Service offered);

(u) WAC 480-120-131 (Reports of accidents);

(v) WAC 480-120-541 (Access charges);

(w) WAC 480-120-542 (Collective consideration of Washington intrastate

rate, tariff, or service proposals); and

(x) WAC 480-120-544 (Mandatory cost changes for telecommunications companies).