



MCI Telecommunications Corporation

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March 27, 1991
STATE OF WASH.
PUBLIC UTILITIES
COMMISSION

Paul Curl
Executive Secretary
Washington Utilities and
Transportation Commission
1300 South Evergreen Park Drive, S.W.
Olympia, Washington 98504

Re: Docket No. UT-900726

Dear Mr. Curl:

Enclosed for filing in the above-referenced docket is the original and nineteen copies of the Reply Comments of MCI Telecommunications Corporation (MCI).

We would appreciate acknowledgement of receipt of this document. An additional copy and a self-addressed, stamped envelope are enclosed. Please date stamp the extra copy and return it to MCI.

If there are any questions concerning this document, please contact me.

Very truly yours,

Sue E. Weiske

Sue E. Weiske, Esq.

Enclosures

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Amending)
WAC 480-120-021,)
WAC 480-120-106,)
WAC 480-120-138, and)
WAC 480-120-141, Relating)
to Telecommunications)
Companies -- the Glossary,)
Alternate Operator Services)
Pay Telephones, and Forms)
of Bills.)
_____)

DOCKET NO. UT-900726

REPLY COMMENTS OF
MCI TELECOMMUNICATIONS CORPORATION

MCI Telecommunications Corporation (MCI), pursuant to the Washington Utilities and Transportation Commission's (Commission) Supplemental Notice to WSR 90-19-118 dated January 23, 1991, and through its undersigned attorneys, submits its reply comments in the above-captioned matter. MCI filed its opening comments on March 6, 1991 and incorporates those comments by reference herein.

Local Exchange Companies

GTE Northwest Incorporated (GTE), U S West Communications and the Washington Independent Telephone Association all have filed comments stating that the proposed rules should not apply to local exchange companies (LECs). All three commentators claim that because LECs have not been part of the "problem" in the past causing the need for such rules to be issued, they need not be included in any rules for the future. Their argument does not address the real issue. The intent and purpose of the proposed

rules is to provide proper information and protection for all consumers, not just the customers of certain companies. In fact, the customer of a non-LEC pay telephone has no greater right to more posted information than the customer of a LEC pay telephone. All consumers need to be fully informed with proper posting at all telephones.

GTE pointed out in its comments that it does not presently double brand and to do so "would be a large, ongoing expense." (GTE Comments, page 4, dated March 5, 1991.) GTE also commented on the possible costs it would incur if required to follow the posting requirements. There is no fair and equitable reason why some companies should incur the cost involved with compliance and others, specifically the LECs, should not.

GTE also stated that its operators presently do not have ANI information display capability in order to respond to emergency requests. For the proper protection of the general public, this one issue alone is reason enough to require that all companies, LECs, interexchange carriers (IXCs) and other operator service providers (OSPs), be required to follow the requirements of the Commission's proposed rules.

If all companies providing operator services do not fall within the purview of the Commission's rules, then the intent of the rules, which to inform and protect the consumer, will be negated.

AT&T Communications

On page 3 of its comments, AT&T Communications of the Pacific Northwest, Inc. (AT&T) has proposed new additional language to WAC 480-120-141(4)(d). In proposing this language, AT&T totally ignores the possible fraud associated with 10XXX, which has been recognized by the Commission at WAC 480-120-138(10) and presented in the comments and previous reply comments of other parties in both this proceeding and the Federal Communications Commission (FCC) Docket No. 90-313, in which AT&T is a participant. AT&T's proposed language is a backdoor attempt to unblock 10XXX. As is documented in the exhibits attached to the comments of Intellicall, Inc., the fraud associated with 10XXX can be quite considerable. And, as with most things, the costs for this fraud will eventually be passed back onto the consumer. This proposed language will benefit no other entity except AT&T. With the exception of AT&T, all other IXCs and OSPs have either 950- or 800- access available for their customers. For its own voluntary reasons, AT&T has elected not to extend this additional option to their customers. All other carriers assist the industry in avoiding 10XXX fraud. As proposed in MCI's initial comments, in order to ensure that consumers will always have some form of access to their preferred carrier, and to create an equal and fair competitive market, all carriers, including AT&T, need to establish either a 950- or 800- form of access. This will allow consumers the freedom of using their carrier of choice, even in circumstances where 10XXX needs to be

blocked because of the possibility of fraud. If AT&T were truly concerned about their "customers' inability to reach AT&T," then AT&T would establish an alternative 800- or 950- form of access for their customers, something they steadfastly refuse to do. (See, Initial Supplemental Comments of AT&T, p. 3, dated March 5, 1991.)

Also, if more states were to adopt rules such as the Texas Public Utility Commission has adopted which relieve the pay telephone provider of liability for fraud when the proper equipment is used, and, therefore, AT&T had to absorb more of the fraudulent charges associated with 10XXX which it now aggressively seeks to collect, AT&T might reconsider its refusal to establish an alternative form of access. (Comments of Intellicall, Inc., pp. 10-11, dated March 5, 1991.)

MCI urges this Commission to reject the proposed additional new language of AT&T and instead, as requested in MCI's comments filed on March 6, 1991, order AT&T to establish an alternative form of access besides 10XXX. MCI also supports the recommendation of Telesphere Limited, Inc. that the Commission should hold in abeyance any decisions concerning the unblocking of 10XXX until the final rules have been issued in the FCC proceeding. (Comments of Telesphere Limited, Inc., pp. 16-18.)

Branding

MCI agrees with the comments filed by AT&T (pp. 4-5), Fone America, Inc. (pp. 18-19), Intellicall (pp. 15-16) and U S West Communications (pp. 10-11), all of which object to the specific branding requirement proposed in WAC 480-120-141(5)(a)(ii) for the beginning of a call. MCI supports, and practices, double branding. However, it would be unduly burdensome, expensive and extremely hard to implement a Washington intrastate-specific message for branding at the beginning of a call. As stated by other parties, MCI's operators, at its operator service centers, handle both intrastate and interstate calls for several states. At the beginning of each call, MCI's operators audibly and distinctly announce "MCI" and his or her operator number. The announcement is clear and consise and the consumer can distinctly recognize who is handling the call. MCI supports the language change proposed by AT&T (AT&T, p. 5), which would make the branding requirements consistent with those in place at the federal level.

CONCLUSION

MCI applauds the Commission's efforts to protect and inform the consumer and reiterates its previous statement that the rules must apply to all providers of operator services. MCI again urges the Commission to reject AT&T's attempt, through its proposed rule change, to unblock 10XXX and, instead, order the establishment of alternative 800- or 950- access by all

providers. Finally, MCI requests that the Commission adopt branding requirements which would be consistent with those in place at the federal level.

MCI thanks the Commission for this opportunity to file reply comments and requests that the Commission adopt the above-stated recommendations and those filed in its March 6 comments.

Respectfully submitted,

MCI TELECOMMUNICATIONS CORPORATION

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DATED: March 27, 1991

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 27th day of March 1991, true and correct copies of the foregoing Reply Comments of MCI Telecommunications Corporation were sent via United States first class mail, postage prepaid, to the following:

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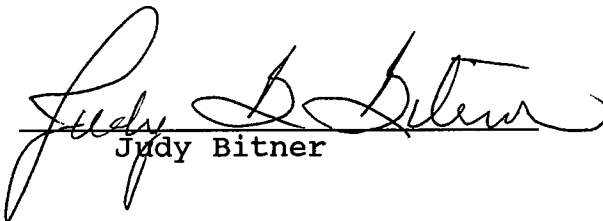
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