

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

In the Matter of the Request of)	DOCKET UT-060762
)	
WESTGATE COMMUNICATIONS)	ORDER 06
LLC, d/b/a WEAVTEL,)	
)	
Petitioner,)	
)	
For Release of Temporarily Withheld)	ORDER GRANTING RELEASE
Revenue Objective Funds.)	OF FUNDS
.....)	

BACKGROUND

- 1 On October 30, 2009, Westgate Communications LLC, d/b/a WeavTel (WeavTel or Company) filed with the Washington Utilities and Transportation Commission (Commission) a filing consistent with conditions in Order 05 in Docket UT-060762.
- 2 Order 05 authorized a revenue objective of \$38,623 subject to a condition that the Washington Exchange Carriers Association (WECA) not disburse the amount pending further order of the Commission granting release of the funds to WeavTel. At that time the Commission also conditioned the Company to perform the necessary traffic studies and to file those along with a request for a new revenue objective by October 31, 2009.
- 3 WeavTel has made the timely filing upon which the release of funds was conditioned, effective October 30, 2009. Additionally, Commission Staff has received confirmation from the National Exchange Carrier Association (NECA) that the traffic studies are also reasonable for use in the interstate jurisdiction (by e-mails dated December 8, 2009, and December 10, 2009; and by a letter received on December 17, 2009).
- 4 The receipt of the anticipated “filing” of a new revenue objective (including the traffic studies as more recently confirmed by NECA) is sufficient to address our conditions and therefore WECA should release all funds due to WeavTel within 15 calendar days from the date of this order.
- 5 Additionally, the previously authorized revenue objective of \$38,623 should continue to be authorized beyond February 28, 2010, until the Commission orders a successor revenue objective, if any. The supplemental information WeavTel filed with the Commission will be reviewed at later date.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including telecommunications companies.
- 7 (2) Westgate Communications LLC, d/b/a WeavTel, is a telecommunications company and a public service company subject to Commission jurisdiction.
- 8 (3) The Washington Exchange Carrier Association is also subject to Commission jurisdiction.
- 9 (4) Staff has reviewed the request in Docket UT-060762 and recommends the Commission grant the request by Westgate Communications LLC, d/b/a WeavTel to release the temporary funds being withheld by WECA.
- 10 (5) The previously authorized revenue objective of \$38,623 should continue to be authorized beyond February 28, 2010, until this Commission orders a successor revenue objective, if any.
- 11 (6) This matter came before the Commission at its regularly scheduled meeting on December 23, 2009.

ORDER

THE COMMISSION ORDERS:

- 12 (1) Westgate Communications LLC, d/b/a WeavTel's request for release of temporarily withheld revenue objective funds is granted.
- 13 (2) The Washington Exchange Carrier Association will release the net funds due to WeavTel within 15 calendar days from the date of this order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 23, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary