

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION BOARD

UT-991737

In the Matter of Rulemaking)
Concerning Line Extension)
Tariffs)

Comments of Sprint

These comments are in response to the August 23, 2000, Opportunity to Submit Written Comments on Proposed Rule in this docket. Sprint appreciates the Commission Staff's willingness to work with the industry on improvements to the language of the proposed rule.

Sprint has previously commented on most of the language in the proposed rule. The current draft, however, contains significant additional language in section (6) that Sprint will comment upon.

First, the introductory language of section (6) states that "this section does not apply to extensions to serve the following...." It would be more accurate to say this rule does not apply.

With regard to the remainder of section (6), Sprint respectfully suggests that the language could be clarified. Most fundamentally, the word "filing" as used in section (6) is ambiguous. It is not clear whether "filing" refers to the filing of the application, the approved plat, or something else. It is also unclear whether "filing" has the same meaning in each subsection.

Subsections (e), (f), (g), and (h) require a determination of whether all lots are under "common ownership and control." Sprint is unclear how this is to be determined. For instance, would a statement by the developer be sufficient?

Again, in subsection (i) the word "created" is ambiguous. What constitutes creation? Is it county approval? The filing of a land use application? Some other event?

To resolve these concerns, Sprint advocates that section (6) of the proposed rule return to language similar to the language used in the previous draft:

This section applies to all geographic areas of the state and all local exchange carriers. A development is the platting or other approval for construction on the same or on contiguous properties of four or more residential units or any commercial or industrial units. The price local exchange companies may charge for extending service to or within developments is not covered by this rule. Companies may not recover under section (3) of this rule the cost of service extensions to developments or within developments.

Finally, Sprint suggests that, as in the existing rule (WAC 480-20-071), it be clearly stated that the company's own tariff applies to all developments excluded from the application of this rule.

Respectfully submitted this 14th day of September, 2000 by

Nancy L. Judy
AVP – External Affairs