

1 WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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Re: Proposed rulemaking to explore the )  
need for a new rule identifying and ) Docket No. UT-990873  
setting fees on actions related to the )  
Telecommunications Act of 1996 )

10 **MCI WORLDCOM, INC.’S COMMENTS ON RULEMAKING**

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MCI WorldCom ("MCIW"), submits these comments to the Commission for  
consideration in the above- referenced rulemaking.

18 **Should the Commission adopt fees under RCW 80.36.610?**

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No. The adoption of new fees to support the enactment of the  
Telecommunications Act of 1996 ("The Act") would be counterproductive to the  
extremely competitive marketplace that the WUTC has created. The WUTC, through its  
pro-competitive policies and decisions, has created a marketplace that many new entrants  
find attractive. The fee, as contemplated here, would send the wrong signal to new  
entrants, that Washington is not pro-competitive and pro-consumer.

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While MCI WorldCom acknowledges that the WUTC may need additional or new  
revenue to support the activities of this "new regulation", clearly the answer does not lie  
in any new fees that could/would directly impact end-users.

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The "expenses" incurred for activities associated with the Telecom Act are not  
outside of the regular daily activities of a regulatory commission. If the WUTC is going  
to consider assessing fees associated with The Act, MCI WorldCom believes that the  
Commission must first demonstrate additional and/or specific costs attributed to the

1 implementation, such as hiring new employees, *whose sole function* is to support The  
2 Act. Does the work of the Commission associated with the implementation of the Act  
3 replace the work previously used to support other activities? A demonstration of costs  
4 and a specific explanation of "additional resources" is needed in order to further evaluate  
5 whether assessing fees on carriers is reasonable and/or justified.

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7 **If the Commission does adopt fees, how should they be structured?**

8 While not supporting or acknowledging that any such fee/fee structure are  
9 appropriate, MCI WorldCom recommends that fees should be apportioned among any  
10 carrier who is benefited by a particular docket, complaint, arbitration, etc. Limiting fees  
11 only to participating parties to certain dockets or proceedings is unfair. Smaller carriers,  
12 consumers and any other interested party who does not actively participate or contribute  
13 resources are still receiving a benefit from the particular action should be assessed the  
14 fees. Fees should be assessed fairly, based on size or revenues reported on Annual  
15 Reports. If a benefited party is not required to file an Annual Report, their portion should  
16 be assessed on a case-by-case basis. This method ensures that the larger carriers are not  
17 subsidizing the fees of non-participating carriers.

18 Date: August 11, 1999.

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Respectfully submitted,

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Joan McCormack

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Compliance Manager

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MCI WorldCom, Inc.

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