

Agenda Date: June 27, 2007  
Item Number: A2

**Docket: UT-061443**

Company Name: Eschelon Telecom of Washington, Inc.

Staff: Kristen Russell, Regulatory Analyst  
Paula Strain, Deputy Assistant Director, Telecommunications

### **Recommendation**

Approve in part the amended petition for alternative measurement or reporting format under WAC 480-120-439(12) in regard to reporting requirements in subsections (4), (6), and (9), and deny in part the amended petition in regard to installation appointment reporting provisions of subsection (3).

### **Background**

On September 6, 2006 Eschelon Telecom of Washington, Inc. Advanced Telecom, Inc., and Oregon Telecom, Inc., d/b/a Washington Telecom, Inc., (collectively Eschelon), contacted commission staff regarding service quality reporting requirements. Staff informed Eschelon that the company had become a Class A company as defined in WAC 480-120-034,<sup>1</sup> and was required to submit service quality reports. The company acknowledged its status on December 20, 2006.

However, in anticipation of acquiring Class A status, the company filed a petition on September 11, 2006, requesting approval of an alternative measurement or reporting format as allowed by WAC 480-120-439(12).<sup>2</sup> Staff had some concerns about the information supplied and discussed this with the company. On January 3, 2007, the company amended its petition to reflect what the company could report. Staff's work with the company regarding reporting ability as required by the rule has been extensive and detailed.

### **Discussion**

Class A companies must submit monthly performance reports under WAC 480-120-439 subsections (3), (4), and (6) through (10), as follows:

- (3) Missed appointment report – installs and repairs reported separately
- (4) Installation or activation of basic service report

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<sup>1</sup> Class A designation means that a company and its affiliates serve at least 2% of the total access lines in the state of Washington. The 2% access line threshold is currently 71,539.

<sup>2</sup> WAC 480-120-439(12): "If consistent with the purposes of this section, the commission may, by order, approve for a company an alternative measurement or reporting format for any of the reports required by this section. . ."

- (6) Summary trouble reports
- (7) Switching report
- (8) Interoffice, intercompany and interexchange trunk blocking report
- (9) Repair report
- (10) Business office and repair answering system reports (only when requested)

In general, Eschelon requests the following alternatives:

1. To be exempt from reporting missed appointment data. (subsection (3))
2. To report performance on installations for all orders placed versus orders placed for five or fewer access lines. (subsection (4))
3. To report installation data for 30-day, 90-day, and 180-day periods, without regard to whether the installations occurred in five days. (subsection (4))
4. To report performance on a statewide basis versus by central office, where applicable. (subsections (4) and (6))
5. To report all repair types that Eschelon itself can complete. (subsection (9))

Eschelon asserts that it cannot provide missed appointment data on repairs due to its reliance on the underlying incumbent local exchange carriers (ILEC) that carry out the repairs. However, because the company is in regular contact with its customers regarding installations, Eschelon has determined that it will be able to supply information regarding missed installation appointments. Staff agrees.

As justification for approval of an alternative measurement or reporting format, Eschelon asserts the following:

1. Reporting Requirements in WAC 480-120-439 are based principally upon a facilities-based, legacy network architecture that is inconsistent with the company's network and provision of service.<sup>3</sup>
2. The company's facilities do not include central offices, and the company is reliant upon the underlying ILEC to obtain the necessary inputs for its service along with the installation intervals required by the ILEC.<sup>4</sup>
3. In an effort to reduce costs, Eschelon attempts to standardize and automate as many internal business reporting and information gathering operations as possible. The information mandated in WAC 480-120-439 would require

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<sup>3</sup> Original Petition in Docket UT-061443 at Paragraph 2, received September 11, 2006.

<sup>4</sup> *Ibid.*

Eschelon to make modifications to its current processes and systems. The costs associated with these system modifications far outweigh any potential benefits.<sup>5</sup>

4. The proposed alternatives the company can report will provide the commission with substantive performance standards based upon the company's actual network and its service as truly provisioned in Washington.<sup>6</sup>

Staff has worked extensively with the company to ensure that the information provided under the proposed alternative measurements will be sufficient to allow staff to verify that service quality standards are met. Staff has reviewed the amended petition and is satisfied that in view of the practical unavailability of certain types of data it is in the public interest to allow the company to report its service performance in the manner identified in subsections (4), (6), and (9) of the amended petition.

Staff does not agree that a full exemption is warranted for subsection (3). Based on the amended petition, staff recommends that Eschelon be exempt from reporting missed repair appointments. However, the company has indicated that missed appointment data relating to installations could be gathered, and staff believes the company should be required to supply this information.

### **Conclusion**

It is consistent with the public interest to approve the amended petition for alternative measurement or reporting format under WAC 480-120-439(12), for subsections (4), (6), and (9) of the rule, and deny in part the amended petition for alternative measurement or reporting format for subsection (3).

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<sup>5</sup> Original Petition at Paragraphs 3 and 10, and in a letter to Carole J. Washburn dated January 4, 2007.

<sup>6</sup> Original Petition at Paragraph 4.