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Via Web Portal

Steven King
Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket U-170031

Enclosed for filing are the Comments to the Notice of Opportunity to File Written Comments by AT&T Corp. and Teleport Communications America, Inc. (collectively "AT&T") in the above mentioned docket.

Sincerely,

A handwritten signature in black ink that reads "Cindy J. Manheim". The signature is written in a cursive style and is positioned above a horizontal line.

Cynthia Manheim
AVP – Senior Legal Counsel

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

Rulemaking to consider adopting a rule in)
WAC 480-120, Telephone Companies,) **Docket U-170031**
relating to standards for restoring)
regulated telecommunications services)
following an outage and customer)
notification of planned service)
interruptions, Docket UT-170031)
_____)

COMMENTS OF AT&T

AT&T Corp. and Teleport Communications America, Inc. (collectively “AT&T”) respectfully submit these comments in response to the Washington Utilities and Transportation Commission (“Commission”) Notice of Opportunity to File Written Comments issued on February 2, 2017 (“Notice”).

AT&T understands that the Commission is considering standards for restoring regulated telecommunications services following an outage and customer notification of a planned service interruption for local exchange carriers (“LECs”). AT&T is a competitive local exchange carrier (“CLEC”) in Washington. While AT&T believes that the Commission should not adopt strict standards for service interruptions and impairments for any carrier, the Commission, at a minimum, should exempt competitive local exchange carriers (“CLECs”) from these requirements.

In today’s environment, LECs compete against wireless carriers, Voice over Internet Providers (“VoIP”) and broadband providers to facilitate the communications needs of consumers. In addition, CLECs, by their very nature, compete with LECs. One of the areas in which all these communication providers compete is speed to restore service interruptions

and impairments. Therefore, it is not necessary for the Commission to adopt rules to address repair standards for service interruptions and impairments, excluding major outages. The Commission previously repealed the WAC 480-120-440 rule which addressed repair standards for service interruptions and impairments in recognition of the competitive changes within the telecommunications industry.¹

For example, the Service Guide for Teleport Communications of America (“TCA”) provides that “[t]he Company intends to work cooperatively with the Customer to develop network contingency plans in order to maintain maximum network capability following natural or man-made disaster which affect telecommunications.” This allows TCA to meet the specific needs of the customers which are predominantly businesses. Credits that will be applied to customers for outages is also clearly spelled out in TCA’s Service Guide which is its agreement with its customers. Customers, therefore, already have a remedy for service outages and no further intervention is needed by the Commission.

TCA endeavors to plan any outages during times when the volume of telecommunications traffic is the lowest. TCA’s Service Guide states that it will provide the customer with “reasonable notification” of planned outages and will work with the customer to determine what constitutes “reasonable notification” as this may well vary. Again, TCA already addresses outages and notifications directly with its customers, resulting in a more responsive customer experience than the imposition of requirements in a rule.

¹ Docket UT-140680 (CR-101 filed with the code reviser on May 7, 2017) was specifically captioned as a rulemaking to consider amending rules “due to the competitive changes within the telecommunications [industry] to meet consumer, commission and industry requirements no longer applicable under the existing WAC rules.”

If customers are unsatisfied with the carrier's performance, the customer can simply "vote with their feet". Consumers have many options for obtaining communication services and these competitive forces drive the quality of service for consumers.

In summary, AT&T does not believe it is necessary for the Commission to implement repair standards for service interruption and impairment for the reasons outlined above.

AT&T concurs in the position espoused by WITA, Frontier and CenturyLink in comments and reply comments filed in Docket UT-160196 that WAC 480-120-442 does not need to be reinstated. At a minimum, the Commission should exempt CLECs from these requirements.

Submitted this 6th day of March, 2017



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