

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of: )  
 )  
Verizon Northwest, Inc. )     DECLARATION OF  
 )     DENNIS SHUTLER  
\_\_\_\_\_ )

DENNIS SHUTLER, under penalty of perjury and the laws of the state of Washington, declares as follows:

1. I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
2. I am employed by the Washington Utilities and Transportation Commission (WUTC) as a Compliance Specialist in the Regulatory Services Division. I have been employed by the WUTC for seventeen years, holding various positions. As a Compliance Specialist, part of my responsibilities includes uniform enforcement of state laws and rules governing operator services providers.
3. Verizon Northwest, Inc. (Verizon) is an operator services provider registered with the Washington Utilities and Transportation Commission and is subject to the Revised Code of Washington and Washington Administrative Code governing operator services providers.
4. On November 3, 2000, as part of the Verizon staff investigation, I placed at least one collect call from each of nine payphones located in Washington. Following the directions posted on the payphones, I performed the steps detailed in Attachment 1 in order to make a collect call from the payphones indicated in the attachment.
5. While the Verizon automated operator provided a message that stated rate information was available by pressing "0", after dialing "0" and the live operator came on the line, the operator did not offer a rate quote or ask if I wanted a rate quote for any of the calls placed.

6. The sequence of events I experienced in placing these collect calls leads me to believe that

Verizon is in violation of WAC 480-120-141(2)(b), Verbal disclosure of rates. This rule states, "Before an operator-assisted call from an aggregator location may be connected by a presubscribed OSP, the OSP must verbally advise the consumer how to receive a rate quote, such as by pressing a specific key or keys, but no more than two keys, or by staying on the line. This message must precede any further verbal information advising the consumer how to complete the call, such as to enter the consumer's calling card number. This rule applies to all calls from payphones or other aggregator locations . . .".

DATED this 19<sup>th</sup> day of December, 2000, at Olympia, Washington.

  
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Dennis Shutler, Compliance Specialist

**ATTACHMENT 1**

**Tony's Market**  
**1688 Grant Road**  
**E. Wenatchee, Washington**  
**509-884-9908**  
**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:  
Collect Call at 9:14 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Katey) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$2.40 for the first minute and \$.10 for additional minutes. This call was an automated acceptance. Operator came back stating I had reached an answering machine (I heard Foster's voice).

**Arco AM/PM**  
**125 Grant Road**  
**E. Wenatchee, Washington**  
**509-884-9968**  
**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:  
Collect Call at 10:13 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Lanette) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$1.05 for the first minute. The Operator asked if I was doing test calls.

**Arco AM/PM**  
**125 Grant Road**  
**E. Wenatchee, Washington**  
**509-884-9938**  
**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:  
Collect Call at 10:26 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Tana) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$2.47 for the first minute and \$.17 for additional minutes. Automated service connected to Foster, love operator came on and tried call two times but Foster's line was busy.

**7-Eleven**

**87 9<sup>th</sup> NE**

**E. Wenatchee, Washington**

**509-884-9998**

**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:

Collect Call at 11:03 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Debbie) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$2.47 for the first minute and \$.17 for additional minutes.

**7-Eleven**

**87 9<sup>th</sup> NE**

**E. Wenatchee, Washington**

**509-884-9981**

**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:

Collect Call at 11:15 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Hope) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$2.47 for the first minute and \$.17 for additional minutes.

**7-Eleven**

**87 9<sup>th</sup> NE**

**E. Wenatchee, Washington**

**509-884-9969**

**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:

Collect Call at 11:30 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Maria) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$2.47 for the first minute and \$.17 for additional minutes. This call was an automated connection system.

**7-Eleven**

**925 S. Mission**

**Wenatchee, Washington**

**509-662-9076**

**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:

Collect Call at 11:47 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Kristen) came on the line. Operator connected the call before I could request a rate. Second call operator (Tammy) came on, and when asked, gave the rate of \$2.65 for the first minute. There was no rate quote offered until I asked the operator for it.

**Gas Stop Market**

**209 Grant Road**

**E. Wenatchee, Washington**

**509-884-9970**

**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:

Collect Call at 9:44 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (George) came on the line. There was no rate quote offered until I asked the operator for it. The rate quoted was \$.95 flat rate for a local call.

**Pangborn Airport**

**1 Pangborn Drive**

**E. Wenatchee, Washington**

**509-884-9951**

**November 3, 2000**

Following the directions posted on the payphone, I performed the following steps:

Collect Call at 8:37 a.m.: I dialed 0 plus the area code plus the called party's number. At the tone, I received an automated message that stated, "Welcome to Verizon. To obtain the rate for this call press "0" for an operator." I pressed 0 and an operator (Anna) came on the line. There was no rate quote offered and the operator connected the call before I could ask for a rate quote.