

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Rulemaking to Consider Adoption of Rules) DOCKET U-140621
to Implement RCW ch. 80.54, Relating to)
Attachments to Transmission Facilities,)
Docket U-140621)

**COMMENTS OF tw telecom of washington llc
AND XO COMMUNICATIONS SERVICES LLC**

tw telecom of washington llc (“tw”) and XO Communications Services LLC (“XO”) respectfully submit these Comments pursuant to the Notice of Opportunity to File Written Comments issued by the Washington Utilities and Transportation Commission’s (“Commission”) in the above-referenced rulemaking.¹ All pleadings, correspondence, and other communications in this docket should be sent to the following addresses:

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¹ Notice of Opportunity to File Written Comments and Notice of Workshop, Re: Rulemaking to Consider Adoption of Rules to Implement RCW ch. 80.54, Relating to Attachments to Transmission Facilities, Docket U-140621 (WUTC Apr. 23, 2014).

I. Introduction

tw and XO are registered telecommunications companies classified as competitive by the Commission and commonly referred to as competitive local exchange carriers (“CLECs”). tw and XO are facilities-based CLECs which, together, have invested hundreds of millions of dollars in the State to provide competitive voice, data and Internet broadband services to small, medium and large business customers.

tw and XO are continually striving to reduce the costs associated with building and maintaining their networks, including attaching to poles and conduit owned by utilities. tw and XO are licensees who attach to utility poles and conduits as those terms are used in RCW 80.54.010, *et seq.* tw and XO, therefore, support the Commission’s efforts to adopt comprehensive attachment rules to ensure that the efficiencies gained by allowing CLECs and other attachers to share in the use of what are often bottleneck facilities to expand broadband networks are fully realized.

II. Comments

The Commission has asked for comment on the attachment rules adopted by the Federal Communications Commission (“FCC”) and the Oregon Public Utility Commission (“OPUC”) to assist the Commission in developing rules to implement RCW 80.54. In response, tw and XO encourage the Commission to consider and adopt the combination of FCC and OPUC attachment rules proposed in the comments submitted by the Broadband Communications Association of Washington (“BCAW”). For the reasons set forth in the BCAW comments, tw and XO believe the BCAW-proposed rules would provide a comprehensive, fair, equitable and pragmatic approach to attachments in the State.

tw and XO appreciate this opportunity to comment in this proceeding and look forward to participating in the July 28, 2014 workshop and in further proceedings in this docket.

Respectfully submitted this 30th day of May, 2014.

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